

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CLYDE K. FELTON (DECEASED), c/o MRS.)
FRANKLIN E. WAGGONER, 2070 SOUTH)
KING, DENVER 19, COLORADO.)
-----)

PERMIT NO. M-9010

November 8, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Clyde K. Felton,
(Deceased), c/o Mrs Franklin E. Waggoner, Denver 19, Colorado
requesting that Permit No. M-9010 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-9010, heretofore issued to Clyde K. Felton, (Deceased),
c/o Mrs. Franklin E. Waggoner, Denver 19, Colorado be,
and the same is hereby, declared cancelled effective October 26, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 8th day of November, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
JAMES H. TAYLOR, 2801 SEQUOIA,)
AMARILLO, TEXAS.)

PUC NO. 4656-I

November 8, 1962

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from James H. Taylor,
Amarillo, Texas

requesting that Certificate of Public Convenience and Necessity No. 4656-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. 4656-I heretofore issued to James H.
Taylor, Amarillo, Texas

be, and the same is hereby, declared cancelled effective October 8, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Nigro
Commissioners

Dated at Denver, Colorado
this 8th day of November, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
DONALD W. CHANCE AND EUGENE E. WOOD-)
WARD, JR., DOING BUSINESS AS, "C AND)
W TRUCKING", ROUTE 1 BOX 536,)
MORRISON, COLORADO.)

PERMIT NO. M-8387

November 8, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Donald W. Chance and Eugene E. Woodward, Jr., doing business as, "C & W Trucking", Morrison, Colorado requesting that Permit No. M-8387 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8387, heretofore issued to Donald W. Chance and Eugene E. Woodward, Jr., doing business as, "C & W Trucking", Morrison, Colorado be, and the same is hereby, declared cancelled effective October 26, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 8th day of November, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
DONALD W. CHANCE AND EUGENE E.)
WOODWARD, JR., DOING BUSINESS AS)
"C AND W TRUCKING", ROUTE 1 BOX)
536, MORRISON, COLORADO.)

PUC NO. 5092-I

November 8, 1962

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Donald W. Chance
and Eugene E. Woodward, Jr., doing business as, "C & W Trucking", Morrison, Colorado
requesting that Certificate of Public Convenience and Necessity No. 5092-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. 5092-I heretofore issued to Donald W.
Chance and Eugene E. Woodward, Jr., doing business as, "C & W Trucking", Morrison,
Colorado
be, and the same is hereby, declared cancelled effective October 26, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado
this 8th day of November, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
CHARLES D. WILLIAMSON, ROUTE 3)
BOX 531, GREELEY, COLORADO.)
-----)

PUC NO. 5226-I

November 8, 1962

S T A T E M E N T

By the Commission:

On July 16, 1962, the Commission authorized Charles D. Williamson to suspend operations under his PUC No. 5226-I, until July 16, 1963.

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

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That PUC No. 5226-I, should be, and the same hereby is, reinstated as of October 24, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph J. Negro
Joseph C. Horton
Henry E. Zerkow
Commissioners

Dated at Denver, Colorado
this 8th day of November, 1962.

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 59585)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
GEORGE J. RESSER, 5303 YELLOW-)
STONE ROAD, CHEYENNE, WYOMING.)
-----)

PERMIT NO. B-5765

November 8, 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-5765 be suspended
for six months from October 26, 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 George J. Resser, Cheyenne, Wyoming

be, and is hereby, authorized to suspend his operations under Permit
No. B-5765 until April 26, 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
James C. Johnson
Henry E. Zerkow
Commissioners

Dated at Denver, Colorado,
this 8th day of November, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
KATHERINE FUOCO AND EARL J. FUOCO AND)
JAMES E. FUOCO, DOING BUSINESS AS,)
"JIM FUOCO MOTOR COMPANY", 748 NORTH)
1ST STREET, GRAND JUNCTION, COLORADO.)

PERMIT NO. B-5745

November 8, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Katherine Fuoco & Earl J. Fuoco & James E. Fuoco, dba "Jim Fuoco Motor Company", Grand Junction, Colorado requesting that Permit No. B-5745 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-5745, heretofore issued to Katherine Fuoco & Earl J. Fuoco & James E. Fuoco, dba "Jim Fuoco Motor Company", Grand Junction, Colorado be, and the same is hereby, declared cancelled effective October 26, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 8th day of November, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
WILSON RICKMAN, DOING BUSINESS AS,)
"RICK'S T. V. SERVICE COMPANY", 2717)
EAST 12TH, CHEYENNE, WYOMING.)
-----)

PERMIT NO. M-13825

November 8, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Wilson Rickman, doing
business as, "Rick's T. V. Service Company", Cheyenne, Wyoming
requesting that Permit No. M-13825 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13825, heretofore issued to Wilson Rickman, doing
business as, "Rick's T. V. Service Company", Cheyenne, Wyoming be,
and the same is hereby, declared cancelled effective November 2, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 8th day of November, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
VICTOR I. COOPER, 2357 IRONTON,)
AURORA 8, COLORADO)
-----)

PERMIT NO. M-7886

November 8, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Victor I. Cooper,
Aurora 8, Colorado
requesting that Permit No. M-7886 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7886, heretofore issued to Victor I. Cooper,
Aurora 8, Colorado be,
and the same is hereby, declared cancelled effective October 21, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 8th day of November, 19 62.

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF	}	<u>APPLICATION NO. 19399-PP-Extension</u>
A. STRICKER, JR., RICHARD L.		
STRICKER, AND J. P. GERRINGER, DOING		
BUSINESS AS "A STRICKER & SONS,"		
4414 DELAWARE STREET, DENVER, COLO-		
RADO, FOR AUTHORITY TO EXTEND OPERA-	}	
TIONS UNDER PERMIT NO. B-4834.		

November 8, 1962

Appearances: Harold D. Torgan, Esq., Denver,
Colorado, for Applicants;
John P. Thompson, Esq., Denver,
Colorado, for M. A. Chance,
Boulder-Denver Truck Line,
Floyd A. Henrikson, Denver-
Loveland Transportation,
Westway Motor Freight, Allen
Transfer, Denver-Laramie-Wal-
den Truck Line, South Park
Transportation Company, Win-
decker Truck Line.

STATEMENT AND FINDINGS OF FACT

By the Commission:

This is an application by A. Stricker, Jr., Richard L. Stricker, and J. P. Gerringer, doing business as "A. Stricker & Sons," Denver, Colorado, who presently are the holders of Permit No. B-4834, for authority to extend operations thereunder to include the right to transport drugs and sundries (those items usually sold by wholesale and retail drug stores), from and to the warehouse, or warehouses, of Republic Drug Stores, to and from the retail drug stores of Republic Drug Company within a seventy-five-mile radius of the intersection of Colfax Avenue and Broadway, in Denver, Colorado, and to be relieved from provisions of Case No. 1585, and be authorized to charge hourly rates.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard on October 30, 1962, 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.

Permit No. B-4834 presently generally provides for the transportation of drugs and sundries -- those items usually sold by wholesale and retail drug stores -- within a seventy-five-mile radius of Colfax and Broadway, in Denver, Colorado, between warehouses and retail drug stores of McKesson-Robbins, and also provides similar authority for Republic Drug within a sixteen-mile radius.

Applicants or their predecessors have been in the transportation of these drug commodities for over thirty-three years, during which time they have served Republic Drug Company. At the present time, Republic Drug Company has no stores located beyond the sixteen-mile radius. Said company, however, has purchased stores in Boulder, Colorado.

The assertions of the applicants' witnesses, including witness from Republic Drug Company, are that applicants provide a highly-specialized regular service, requiring special handling. Many of the cartons of commodities are open (such as cigarettes and other items that require various Tax Stamps); that, in addition, the drivers of applicants load their own trucks with the commodities, all segregated according to the department in the particular store to which they are to be delivered, and they unload these trucks, placing the commodities in the retail store in their proper department, thus rendering a service which is not normally rendered by common carriers.

Existing common carriers, who it is conceded, possess the authority in the area, and who conduct an adequate common carrier service, some of whom appeared and testified at this hearing, claimed impairment on the ground that they are now serving other drug stores not

associated with Republic, and stated that if Republic continues to buy stores, and this carrier is authorized to render service to Republic in the seventy-five-mile area, they will lose these stores as customers.

This contention was countered, however, by the applicants, stating that Republic, one month ago, did acquire two stores in Boulder from another private owner; that during all of this time, Republic has operated its own leased vehicles, and has not sought the services of a common carrier to serve these two stores; further, the Vice-President of Republic Drug Company asserted that they would not utilize the services of a common carrier if this application is denied; furthermore, the company would put on its own trucks, and probabilities were that it would withdraw all of its patronage of applicants -- even within the sixteen-mile radius.

In determining the question of impairment, we were also afforded evidence on the amount of freight carried by both Boulder-Denver and Denver-Loveland. In both instances, the total amount of freight carried to drug stores is less than two per cent of their monthly revenues. It is difficult to see that a loss of this revenue would cause any impairment, and it is highly speculative that Republic would acquire all of these stores to which common carriers now service, so that a total loss of revenue would be realized. It must be observed, and we so find, that the shift in this instance from utilization of a common carrier to a private carrier is not by virtue of the solicitation of these customers by the private carrier, and then seeking authority to render service to them, but rather, it is simply the acquisition by a drug chain of existing customers of the common carrier, who will refer their services to a presently-existing private carrier, if this Commission will allow it.

It would be incongruous for this Commission to require a shipper, such as Republic Drug Company, to utilize the services of an

existing private carrier, admittedly rendering specialized service within a sixteen-mile radius of downtown Denver, and at the same time, prohibit this shipper from integrating into this transportation service other stores that it may acquire, in what could broadly be defined as "Metropolitan or Greater Denver Area."

Although this Company has acquired only two stores beyond the sixteen-mile radius at the present time, they have under active negotiation, leases for four stores -- some of which may be beyond the sixteen-mile radius -- and they are actively contemplating additions in other communities well beyond the sixteen-mile radius.

Since these applicants already possess the authority to serve within a seventy-five-mile radius for another customer, and since it appears to the Commission that there is a reasonable certainty that a shipper who will extend its operations into an area within seventy-five miles, it is the opinion of the Commission, and we so find, that such an extension is compatible with the public interest, and would not impair existing common carrier service, since the common carriers would not receive the traffic anyway.

The second part of the application deals with an application for relief from the duty to comply with the provisions of Case No. 1585, and to apply the twenty per cent penalty charge on freight hauled in competition with line-haul carriers.

This carrier seeks, in this application, authority to apply an hourly rate, rather than the mileage rate. This carrier has been granted such authority on present existing service.

Support for this position is that many of the commodities shipped are bulky, but possess very little weight, and that the drivers perform other services in addition to transportation that render the application of a mileage rate impractical.

The evidence and reasons advanced for this case are the same as those advanced in other cases as recently as February 29, 1960,

in our Decision No. 53952. Consistency alone would seem to dictate such an exception should be granted in this case, and we are firmly of the opinion that the reasons advanced by the applicants in this case sufficiently sustain their burden of proof in dictating an exemption. We therefore find that such an exemption is likewise compatible with the public interest, and we shall so order.

O R D E R

THE COMMISSION ORDERS:

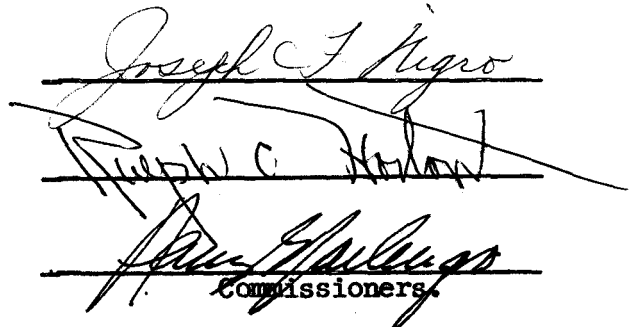
That A. Stricker, Jr., Richard L. Stricker, and J. P. Gerringer, doing business as "A. Stricker & Sonx," Denver, Colorado, be, and they hereby are, authorized to extend operations under Permit No. B-4834, to include the right to transport drugs and sundries (those items usually sold by wholesale and retail drug stores), from and to the warehouse, or warehouses, of Republic Drug Stores, to and from the retail drug stores of Republic Drug Company within a seventy-five-mile radius of the intersection of Colfax Avenue and Broadway, in Denver, Colorado.

This Order is made a part of the permit granted to applicants.

That Applicants herein be, and they hereby are, relieved from provisions of Case No. 1585, and are hereby authorized to charge hourly rates.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

Dated at Denver, Colorado,
this 8th day of November, 1962.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ARTHUR SIBLEY, 7397 KRAMERIA STREET,)
DERBY, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 19402-PP

November 8, 1962

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs and timber products, from forests to sawmills, places of storage, and loading points within a radius of one hundred miles of said forests; rough lumber, from sawmills in said radius, to markets in the State of Colorado, with no town-to-town service.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, October 30, 1962, at two o'clock P. M., due notice thereof being forwarded to all parties in interest.

Notwithstanding said notice, applicant failed to appear at the time and place designated for hearing, either in person or by counsel.

Thereupon, there being no objection thereto, the files were made a part of the record, and said matter was taken under advisement.

The records and files herein show that applicant is qualified and properly equipped to carry on his proposed operation, and that there presently is a need therefor.

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

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

F I N D I N G S

THE COMMISSION FINDS:

That permit should issue to applicant herein, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Arthur Sibley, Derby, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs and timber products, from forests to sawmills, places of storage, and loading points within a radius of one hundred miles of said forests; rough lumber, from sawmills in said radius, to markets in the State of Colorado, with no town-to-town service.

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
Rueben C. Holton
James J. Mulvins
Commissioners.

Dated at Denver, Colorado,
this 8th day of November, 1962.
mls

original

(Decision No. 59591)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF) CARL PIGG, P. O. BOX 491, SARATOGA,) WYOMING, FOR A CLASS "B" PERMIT TO) OPERATE AS A PRIVATE CARRIER BY) MOTOR VEHICLE FOR HIRE.) -----)	<u>APPLICATION NO. 19403-PP</u>
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November 8, 1962

Appearances: Carl Pigg, Saratoga, Wyoming,
pro se.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs, poles, and timber products, from forests to sawmills, places of storage, and loading points within a radius of fifty miles of said forests; rough lumber, from sawmills in said radius, to markets in the State of Colorado, with no town-to-town service.

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, October 20, 1962, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, applicant herein appeared and testified in support of his application, stating he has received requests for his proposed services; that he has a net worth of over \$2,000.

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

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

F I N D I N G S

THE COMMISSION FINDS:

That permit should issue to applicant herein, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Carl Pigg, Saratoga, Wyoming, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs, poles and timber products, from forests to sawmills, places of storage, and loading points within a radius of fifty miles of said forests; rough lumber, from sawmills in said radius, to markets in the State of Colorado, with no town-to-town service.

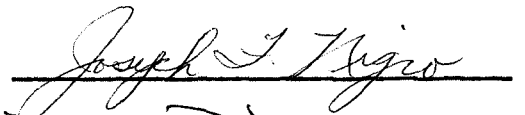


That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 8th day of November, 1962.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WILLIAM C. MATHEWS AND TONY YETTER,)
CO-PARTNERS, DOING BUSINESS AS)
"METRO RUBBISH REMOVAL SERVICE,")
2405 FEDERAL BOULEVARD, DENVER,)
COLORADO, FOR AUTHORITY TO TRANSFER) APPLICATION NO. 19404-Transfer
PUC NO. 3612 TO THELMA B. CIANCIO,)
DOING BUSINESS AS "CIANCIO RUBBISH)
REMOVAL SERVICE," 2735 GROVE STREET,)
DENVER, COLORADO.)
-----)

November 8, 1962

Appearances: William C. Mathews, Denver,
Colorado, pro se;
Tony Yetter, Denver, Colo-
rado, pro se;
Thelma B. Ciancio, Denver,
Colorado, pro se.

S T A T E M E N T

By the Commission:

By the above-styled application, William C. Mathews and
Tony Yetter, doing business as "Metro Rubbish Removal Service," owners
and operators of PUC No. 3612, seek authority to transfer said operating
rights to Thelma B. Ciancio, doing business as "Ciancio Rubbish Removal
Service," Denver, Colorado, said PUC No. 3612 being the right to operate
as a common carrier by motor vehicle for hire, for the transportation of:

ashes, trash, and other waste materials,
between points within the City and County
of Denver, and from points within the City
and County of Denver, to regularly-designated
and approved dumps and disposal places in the
Counties of Adams, Arapahoe, and Jefferson,
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, October 30,
1962, and at the conclusion of the evidence, the matter was taken under
advisement.

At the hearing, applicants herein appeared and testified in support of their application.

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 William C. Mathews and Tony Yetter, co-partners, doing business as "Metro Rubbish Removal Service," Denver, Colorado, be, and they hereby are, authorized to transfer all right, title and interest in and to PUC No. 3612 -- with authority as set forth in the Statement preceding, which is made a part hereof by reference -- to Thelma B. Ciancio, doing business as "Ciancio Rubbish Removal Service," Denver, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That said transfer shall become effective only if and when, but not before, said transferors and 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 and conditions 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.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Robert C. Anton
Samuel A. Lugo
Commissioners.

Dated at Denver, Colorado,
this 8th day of November, 1962.

ea

copy

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LUIS SANCHEZ JR. DBA)
LUIS SANCHEZ TRUCKING)
434 Mildred N. W.)
Albuquerque, New Mexico)
-----)

AUTHORITY NO. PUC 4833-I
CASE NO. 9872 Ins.

November 8, 1962

S T A T E M E N T

By the Commission:

On September 20, 1962, 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. Vincent
Henry E. Zulevego
Commissioners

Dated at Denver, Colorado,
this 8th day of November, 1962

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
COLORADO-UTE ELECTRIC ASSOCIATION,
INC., MONTROSE, COLORADO, TO CON-
STRUCT AN ELECTRIC GENERATING PLANT
NEAR HAYDEN, COLORADO, AND ELECTRIC
TRANSMISSION LINES TO CONNECT SAID
PLANT TO ITS EXISTING GENERATION AND
TRANSMISSION SYSTEM, TO THE PRESENT
AND PROPOSED GENERATION SYSTEM OF
THE UNITED STATES BUREAU OF RECLAMA-
TION, AND TO THE PRESENT AND PRO-
POSED SYSTEMS OF ITS MEMBERS.

APPLICATION NO. 19098

November 5, 1962

Appearances: John R. Barry, Esq., Denver,
Colorado, for The Western
Colorado Power Company;
Bryant O'Donnell, Esq., Den-
ver, Colorado, for Public
Service Company of Colorado;
Raphael J. Moses, Esq.,
Boulder, Colorado, for Colo-
rado-Ute Electric Associa-
tion, Inc.;
Everett R. Thompson, Denver,
Colorado, and
Paul M. Brown, Denver, Colo-
rado, for the Staff of the
Commission.

S T A T E M E N T

By the Commission:

This matter came on for hearing, on oral argument on appli-
cation (Motion), of The Western Colorado Power Company to hold in
abeyance oral argument in the above-entitled matter, save and until
Application No. 19072, being the application of The Western Colorado
Power Company for authority to construct a transmission line, had been
heard, and all of the evidence adduced therein.

During the course of oral argument, oral motion was made for
and on behalf of Public Service Company of Colorado, without objection

by Colorado-Ute, that briefs which were to have been filed by Colorado-Ute on October 24, 1962, were not filed in truth and in fact until October 26, 1962; that said briefs were served upon the Attorney for Western Colorado Power Company on October 26, 1962, and on Attorney for Public Service Company of Colorado on October 29, 1962.

Examination of the official records of the Commission discloses that said assertions are factual, and thereupon counsel for Colorado-Ute conceded that the Motion for continuance had merit.

It was the original Order of this Commission that Memorandum Briefs, setting forth statement of position, were to be filed simultaneously by all parties participant on October 24, 1962, and that Reply Briefs were to be filed within ten (10) days thereafter. Oral argument on the matter was set for November 8, 1962.

In view of the uncontroverted fact that said schedule of service of briefs was not complied with, it will be ordered by this Commission that Colorado-Ute and Western Colorado Power Company should file Reply Briefs by November 5, 1962; that Public Service Company of Colorado should file its Reply Brief on or before November 3, 1962.

With reference to argument by all parties on the written application of The Western Colorado Power Company to vacate and hold in abeyance, on the grounds that Western Colorado Power Company has filed an application for authority to construct a transmission line, the Commission having heard all of the arguments of all counsel, and having examined all pertinent files, and being fully advised in the premises, is of the opinion that said Motion should be denied.

O R D E R

THE COMMISSION ORDERS:

That application of The Western Colorado Power Company to vacate oral argument on November 8, 1962, and to hold said matter in abeyance, save and until the Commission has held hearing on application of The Western Colorado Power Company (No. 19072), be, and the

same hereby is, denied.

That The Western Colorado Power Company and Colorado-Ute Electric Association, Inc. shall file Reply Briefs on this matter by November 5, 1962, and that Public Service Company of Colorado shall file its Reply Brief on or before November 8, 1962.

That oral argument heretofore set herein for November 8, 1962, be, and the same hereby is, vacated and continued, said matter being hereby set for oral argument at the Hearing Room of the Commission, 532 State Services Building, 1525 Sherman Street, Denver, Colorado, November 26, 1962, at ten o'clock A. M.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Frederic C. Tolson
Paul E. Mullins
Commissioners.

Dated at Denver, Colorado,
this 5th day of November, 1962.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LEROY A. LONHART, DOING BUSINESS AS)
"LONHART MILK LINES," 2000 - 48TH)
AVENUE, GREELEY, COLORADO, FOR AU-)
THORITY TO TRANSFER PERMIT NO. B-4612) APPLICATION NO. 19348-PP-Transfer
TO WILLIAM E. ANKENY, E. D. MAPES,)
WALTER H. SHORT, WALLACE H. SHORT,)
AND HARRY CONNELL, DOING BUSINESS AS)
"WELCO MILK LINES," EVANS, COLORADO.)
-----)

IN THE MATTER OF THE APPLICATION OF)
LEROY A. LONHART, DOING BUSINESS AS)
"LONHART MILK LINES," 2000 - 48TH)
AVENUE, GREELEY, COLORADO, FOR AU-)
THORITY TO TRANSFER PUC NO. 1595 TO) APPLICATION NO. 19349-Transfer
WILLIAM E. ANKENY, E. D. MAPES,)
WALTER H. SHORT, WALLACE H. SHORT)
AND HARRY CONNELL, DOING BUSINESS AS)
"WELCO MILK LINES," EVANS, COLORADO.)
-----)

IN THE MATTER OF THE APPLICATION OF)
LEROY A. LONHART, DOING BUSINESS AS)
"LONHART MILK LINES," 2000- 48TH)
AVENUE, GREELEY, COLORADO, FOR AU-)
THORITY TO TRANSFER PUC NO. 3195 TO) APPLICATION NO. 19350-Transfer
WILLIAM E. ANKENY, E. D. MAPES,)
WALTER H. SHORT, WALLACE H. SHORT)
AND HARRY CONNELL, DOING BUSINESS AS)
"WELCO MILK LINES," EVANS, COLORADO.)
-----)

November 7, 1962

Appearances: Alvin J. Meiklejohn, Jr., Esq.,
Denver, Colorado, for
Transferor and Transferees.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Leroy A. Lonhart is the owner and operator of Private Carrier
Permit No. B-4612, and of Certificates of Public Convenience and Ne-
cessity PUC No. 1595 and PUC No. 3195, authorizing for-hire motor
vehicle operations, as follows:

Permit No. B-4612:

Transportation of milk, only, from points within a radius of 12 miles of Greeley, Colorado, to the Frink Creamery Company, only, at Fort Collins, Colorado, with the right to return empty cans or containers.

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

Transportation of milk from points within a radius of 15 miles of Cornish, Colorado, to Fort Collins, Colorado.

Certificate of Public Convenience and Necessity, PUC No. 1595:

Transportation of milk to Fort Collins, from the territory described as beginning at the northwest corner of Section 8, Township 7-North, Range 67-West; thence east 4 miles to the northeast corner of Section 11, Township 7-North, Range 67-West; thence south 8 miles to the southeast corner of Section 14, Township 6-North, Range 67-West; thence west 2 miles to the southwest corner of Section 15, Township 6-North, Range 67-West; thence south 2 miles to the southeast corner of Section 28, Township 6-North, Range 67-West; thence west 1 mile to the southwest corner of Section 28; thence north 3 miles to the northwest corner of Section 16, Township 6-North, Range 67-West; thence west 1 mile to the southwest corner of Section 8, Township 6-North, Range 67-West; thence north 2 miles to the northwest corner of Section 5, Township 6-North, Range 67-West; thence west 1 mile to the southwest corner of Section 31, Township 7-North, Range 67-West; thence north 2 miles to the northwest corner of Section 30, Township 7-North, Range 67-West; thence east 1 mile to the northwest corner of Section 29, Township 7-North, Range 67-West; thence north 3 miles to the point of beginning; also the right to transport milk on both sides of the road along said boundary; also the right to transport milk from both sides of the road common to Section 19 and Section 20, Township 7-North, Range 67-West, all of said area being in Weld County, State of Colorado, except that collections may be made from the territory in Weld County lying adjacent to Sections 30 and 31, Township 7-North, Range 67-West.

Certificate of Public Convenience and Necessity, PUC No. 3195:

Transportation of milk to Fort Collins, Colorado, from the territory described as follows:

Starting at a point 1 mile east of Severance, Colorado, and running from this point east to a point 2 miles east of Galeton, Colorado; thence north to a point 1 mile north of the County road known as the Nunn-Wellington Highway; thence west to a point 3 miles west of Nunn, Colorado; thence south to the point of beginning.

Hereinafter, Transferor, Leroy A. Lonhart, will be referred to as "Lonhart," and Transferee, William E. Ankeney, E. D. Mapes, Walter H. Short, Wallace H. Short, and Harry Connell, doing business as "Welco Milk Lines," will be referred to as "Welco."

By the instant applications, Lonhart seeks approval of this Commission of a transaction in which he proposes to sell Permit No. B-4612 and Certificates PUC No. 1595 and PUC No. 3195 to Welco, Docket No. 19348-PP-Transfer involving the sale of Permit No. B-4612; Docket No. 19349-Transfer involving the sale of PUC No. 1595; and Docket No. 19350-Transfer involving the sale of PUC No. 3195.

These matters were set for hearing, upon proper notice to all parties deemed of interest, on Thursday, October 9, 1962, at the offices of the Commission in Denver, Colorado. At the time these proceedings were called for hearing, the presiding Commissioner announced that, without objection, the same would be consolidated for hearing. There being no objection, the proceedings were heard on a consolidated record, and inasmuch as they involve related matters will be disposed of here in a consolidated Report and Order. No one opposes the granting of the applications.

Welco Milk Lines is a co-partnership of William E. Ankeney, E. D. Mapes, Walter H. Short, Wallace H. Short, and Harry Connell, having a principal office and place of business in Evans, Colorado. It is the owner and operator of Certificate of Public Convenience and Necessity, PUC No. 556, under which it has conducted operations for many years. Additionally, it has recently been authorized by this Commission to acquire Private Carrier Permit No. B-600 from Mr. Reinhold Ehrlich. Welco requests that if this application is granted, the

permitted operating rights be consolidated with its Private Carrier Permit No. B-600, and that the certificated operating rights be consolidated with Welco's existing Certificate PUC No. 556.

Welco operates a substantial fleet of equipment suitable for the conduct of the operations authorized and required under the permits and certificates herein proposed to be acquired. Further, it is financially strong and should be able to adequately finance the operations herein being transferred. It has been operating the authorities involved in these proceedings since August 24, 1962, under Temporary Authority issued to it by our Enforcement Department.

Based on all the evidence of record, we find and conclude that Welco is financially and otherwise fit and able to conduct the operations authorized and required under the authorities herein to be transferred.

By the proposed transaction, Lonhart will sell Certificates PUC No. 1595 and PUC No. 3195, Private Carrier Permit No. B-4612, and four pieces of equipment to Welco, for a total purchase price of \$42,500.00. \$1,000.00 of this purchase price has been paid into escrow as earnest money; the remaining \$41,500.00 is to be paid, together with interest, as soon as our approval is obtained and the transfer completed. The entire transaction is conditioned upon our approval first had and obtained.

The operating rights proposed to be acquired by Welco contain origin territory located in the area of Greeley, Colorado, and authorize service to Fort Collins and Denver, Colorado. It is thus apparent that the operations being acquired lie adjacent to, and in some instances overlap, the existing origin territories presently authorized to Welco under its Certificate and Permit. In the circumstances, the additional origin territory being acquired by Welco should be capable of efficient integration into the existing operating rights and operations of Welco.

Rule 5 of our Rules and Regulations Governing Common Carriers, and Rule 6 of our Rules and Regulations Governing Private Carriers by Motor Vehicle, provide that this Commission will not approve a transfer

of operating rights to a carrier who is the holder of operating rights which duplicate, in full or in part, except to an immaterial extent, those proposed to be transferred, unless the Transferee shall agree to cancel such duplicating rights. Transferee herein, both in its application and at the time of the hearing, has agreed to the cancellation of the duplicating operating rights being acquired. Accordingly, our approval of this transaction will be conditioned upon the cancellation of the duplicating operating rights being acquired.

Certificates PUC No. 3195 and PUC 1595 duplicate existing certificates owned and operated by Welco in the southern portions of the certificates to be acquired. Our Order hereinafter will eliminate such duplicating origin territory.

Permit No. B-4612 authorizes the transportation of milk from a radius of 12 miles of Greeley, Colorado, to the Frink Creamery, only, at Fort Collins, Colorado. This origin territory overlaps to a substantial degree the origin territory already certificated to Welco under its PUC No. 556, and the origin territory being acquired under Certificates PUC 1595 and PUC 3195. The same is true with reference to that portion of Permit No. B-4612 authorizing service from points within a radius of 15 miles of Cornish, Colorado, to Fort Collins, Colorado. To attempt to delete the overlapping portions of Permit B-4612, as relates to service to Fort Collins, Colorado, would result in a highly complex territorial description, which would be virtually unenforceable and administratively undesirable. In the circumstances, we think that compliance with the cited rules can be effected by conditioning the acquisition of the portion of Permit B-4612, which authorizes service to Fort Collins, by providing, first, that Welco shall provide service to shippers under its certificated common carrier operations and not under the Permit, wherever Welco's common carrier service is authorized by this Commission, and, second, that the duplicating portions of the origin territory authorized under Permit B-4612, authorizing service to Fort Collins, Colorado, shall be deemed cancelled and that our failure to describe merely the non-duplicating portions of such Permit shall not

be construed as conveying more than one operating right.

Permit B-4612 also authorizes service to Denver, Colorado, and points within a radius of 10 miles of Denver, Colorado, from points within a radius of 12 miles of Greeley, Colorado, subject to sharp restrictions on the customer list of the holder of the Permit. All of Lonhart's authorized customers under this portion of the Permit, except Harry Raven, are located within areas already authorized to be served by Welco under certificates of public convenience and necessity to Denver, Colorado. Our Order hereinafter will authorize the transfer of this portion of the Permit, subject to service being performed for one customer, only, to-wit: Harry Raven, and further subject to the two conditions imposed above with reference to the Fort Collins portion of the Permit.

We find and conclude that the transfers of the operating rights here involved, as amended and modified in accordance with the foregoing statement, and as imposed in our Order hereinafter, will be compatible with the public interest and should be authorized. In accordance with our long-standing policy, the transfers will be subject to the payment by Lonhart of all indebtedness against the operations, whether secured or unsecured.

ORDER

THE COMMISSION ORDERS:

That Leroy A. Lonhart, doing business as "Lonhart Milk Lines," be, and he hereby is, authorized to transfer all his right, title and interest in and to Certificates of Public Convenience and Necessity PUC No. 1595 and PUC No. 3195, conveying operating rights as hereinafter described to William E. Ankeney, E. D. Mapes, Walter H. Short, Wallace H. Short, and Harry Connell, copartners, doing business as "Welco Milk Lines," Evans, Colorado, subject to payment of outstanding indebtedness against said operations, if any there be, whether secured or unsecured.

That the operating rights contained in Certificates of Public Convenience and Necessity PUC No. 1595 and PUC No. 3195, as hereinafter

described, shall be consolidated with, and become a part of Certificate of Public Convenience and Necessity PUC No. 556, now issued and confirmed in the said partners of Welco Milk Lines.

That the operating rights contained in Certificates of Public Convenience and Necessity PUC No. 1595 and PUC No. 3195, as authorized to be consolidated with, and become a part of Certificate of Public Convenience and Necessity PUC No. 556, shall be as follows, and those portions of the above referenced Certificates of Public Convenience and Necessity not included in the following description of operations shall be, and the same hereby are, cancelled:

Transportation of milk, as a common carrier by motor vehicle, to Fort Collins, Colorado, from the territories described as follows:

(1) That area beginning at the northeast corner of Section 28, Township 9-North, Range 64-West; thence west 15 miles to the northwest corner of Section 30, Township 9-North, Range 66-West; thence south 10 miles to the southwest corner of Section 7, Township 7-North, Range 66-West; thence east 5 miles to the intersection of Colorado Highway 14 and U. S. Highway 85; thence southeast along said Highway 85 to its intersection with Weld County primary road 18, at the Town of Eaton, Colorado; thence east approximately 9 miles to the southeast corner of Section 33, Township 7-North, Range 64-West; thence north 14 miles to the point of beginning; and

(2) Sections 8, 9, 10 and 11, Township 7-North, Range 67-West, including the right to pick up shipments on both sides of any road bounding on said territory.

That said transfer shall become effective only if and when, but not before, said Transferor and Transferee, in writing, have advised the Commission that the portion of 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 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.

That the tariff of rates, rules and regulations of Transferor shall, upon proper adoption notice, become and remain those of Transferee until changed according to law and the Rules and Regulations of this Commission.

The right of Transferee to operate under this Order shall depend upon the prior filing by Transferor of delinquent reports, if any, covering operations under said Certificates up to the time of transfer of said portion of the Certificates.

That Leroy A. Lonhart, doing business as "Lonhart Milk Lines," Greeley, Colorado, be, and he hereby is, authorized to transfer all his right, title and interest in and to Permit No. B-4612 to William E. Ankeney, E. D. Mapes, Walter H. Short, Wallace H. Short, and Harry Connell, copartners, doing business as "Welco Milk Lines," Evans, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That the operating rights contained in Permit B-4612, as hereinabove authorized to be transferred, shall convey operating rights as hereinafter described, and subject to the terms and conditions as hereinafter imposed.

That the operating rights contained in Permit No. B-4612, as herein authorized to be transferred, shall be and become a part of Permit B-600, and those portions of Permit B-4612 which are not authorized to be transferred shall be, and the same hereby are, cancelled and of no further force nor effect.

That the operating rights contained in Permit No. B-4612, as authorized to be merged and consolidated in Permit B-600, shall contain authority as follows:

- (1) Transportation of milk, only, from points within a radius of 12 miles of Greeley, Colorado, to the Frink Creamery Company, only, at Fort Collins, Colorado, with the right to return empty cans or containers.
- (2) Transportation of milk to points in Denver, and within a radius of 10 miles thereof, from points within a radius of 12 miles of Greeley, Colorado; provided, however, that such transportation shall be performed for one customer only,

to-wit: Harry Raven, and the said permit holder shall not be permitted to add any additional customers to his customer list without further authority from this Commission upon proper application therefor.

(3) The right to transport milk from points within a radius of 15 miles of Cornish, Colorado, to Fort Collins, Colorado.

Provided, however, that the authority granted in (1), (2) and (3) above shall be subject to the following terms and conditions:

First, that wherever said permit authority is duplicated by certificated authority held under Transferee's PUC No. 556, said permitted authority shall be deemed cancelled and of no further force nor effect, and the failure of the Commission to specifically describe said duplications shall not be construed as conferring upon Welco Milk Lines more than one operating right; and, secondly, any shipper that can be served under Transferee's Certificates of Public Convenience and Necessity and Permits shall be served under said Certificates by Transferee in its capacity as a common carrier only.

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 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 their compliance with all present and future laws and rules and regulations of the Commission, and the prior filing by Transferor of delinquent reports, if any, covering operations under said 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

Joseph F. Negro
Frederic C. Johnston
Ray E. Spillings
Commissioners.

Dated at Denver, Colorado,
this 7th day of November, 1962.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
CONTINENTAL TRUCK AND TOWING CO.)
2018 North Durfee Road)
El Monte, California)
-----)

AUTHORITY NO. PUC 5307-I
M 15590
CASE NO. 9967 Ins.

November 9, 1962

S T A T E M E N T

By the Commission:

On October 10, 1962, 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. Horton
Commissioners

Dated at Denver, Colorado,
this 9th day of November, 1962

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WIDEFIELD HOMES WATER COMPANY, WIDE-)
FIELD BOULEVARD, COLORADO SPRINGS,)
COLORADO, FOR A CERTIFICATE OF PUB-)
LIC CONVENIENCE AND NECESSITY TO)
SUPPLY WATER TO WIDEFIELD HOMES SUB-)
DIVISIONS, WITH PERMISSION FOR ADOP-)
TION OF CERTAIN PROOFS AND EXHIBITS)
HERETOFORE FILED AND RECEIVED IN)
APPLICATION NO. 16667, IN SUPPORT OF)
THIS APPLICATION.)

APPLICATION NO. 19210-Amended
SUPPLEMENTAL ORDER

November 9, 1962

Appearances: Stinemeyer and Stinemeyer,
Esqs., by
Frank G. Stinemeyer, Esq.,
Denver, Colorado, for
Applicant;
F. T. Henry, Esq., Colorado
Springs, Colorado, for the
City of Colorado Springs;
E. R. Thompson, Denver,
Colorado, and
J. M. McNulty, Denver, Colo-
rado, for the Staff of the
Commission.

S T A T E M E N T

By the Commission:

By Decision No. 59264, of September 14, 1962, Widefield
Homes Water Company was granted a certificate of public convenience
and necessity to operate a water utility and was ordered to file the
rates, rules and regulations under which it proposed to conduct said
operation.

On November 2, 1962, Applicant filed an application with
this Commission seeking an extension of time to December 1, 1962,
within which to file the rates, rules and regulations as ordered by
the Commission. According to the original order of the Commission,

Applicant would be required to file on or before November 5, 1962, its proposed tariffs. As set forth in the application for an extension, Applicant states several reasons why it believes it necessary to be granted an extension of time for said filing. We have reviewed said reasons and believe that the extension of time as requested should be granted.

F I N D I N G S

THE COMMISSION FINDS:

That Applicant, Widefield Homes Water Company, should be granted an extension of time to December 1, 1962, within which to file the rates, rules and regulations under which it proposes to render water service as a public utility under the certificate granted by this Commission.

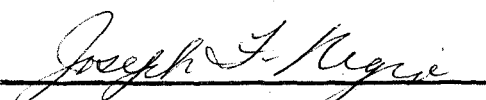
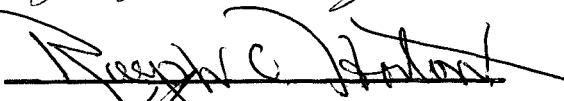

O R D E R

THE COMMISSION ORDERS:

That Applicant, Widefield Homes Water Company, be, and it hereby is, granted an extension of time within which to file its rates, rules and regulations to and until December 1, 1962.

That except as herein modified, Decision No. 59264, of September 14, 1962, shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 9th day of November, 1962.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MAC BICKLING AND DOROTHY M. BICK-)
LING, DOING BUSINESS AS "BRIGHTON)
CAB," 51 SOUTH MAIN STREET, BRIGHTON,)
COLORADO, FOR AUTHORITY TO TRANSFER)
PUC NO. 1791 TO MAC BICKLING, DOING)
BUSINESS AS "BRIGHTON CAB," 51 SOUTH)
MAIN STREET, BRIGHTON, COLORADO.)
-----)

APPLICATION NO. 19401-Transfer

November 9, 1962

S T A T E M E N T

By the Commission:

Heretofore, Mac Bickling and Dorothy M. Bickling, doing business as "Brighton Cab," Brighton, Colorado, were granted a certificate of public convenience and necessity (PUC No. 1791), authorizing operation as a common carrier by motor vehicle for hire, for the transportation of:

Transportation of passengers and their hand baggage, in cabs of not to exceed five-passenger capacity, between points in the area within a radius of ten miles of, and including, the City of Brighton, and from points in same radius, to Denver, Stapleton Airport, Lafayette, and Boulder, Colorado, and return -- that is, transportation of passengers and their hand baggage from Denver, Stapleton Airport, Lafayette and Boulder, to points in said ten-mile area, including Brighton, is limited to (and in connection with), round trip service, only, where passenger is taken from said area to Denver, Stapleton Airport, Lafayette, or Boulder, and returned in the same vehicle, with waiting time of not to exceed one hour at Denver, Stapleton Airport, Lafayette, or Boulder, Colorado.

Said certificate-holders herein seek authority to transfer said PUC No. 1791 to Mac Bickling, doing business as "Brighton Cab," Brighton, Colorado, said Dorothy M. Bickling being desirous of withdrawing from said partnership.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, October 30, 1962, at two o'clock P. M., due notice thereof being forwarded to all parties in interest.

Notwithstanding said Notice, applicants herein failed to appear, either in person or by counsel, at the time and place designated for hearing of said application.

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

No one appeared in opposition to the granting of 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 Mac Bickling and Dorothy M. Bickling, doing business as "Brighton Cab," Brighton, Colorado, be, and they hereby are, authorized to transfer all their right, title, and interest in and to PUC No. 1791 -- with authority as set forth in the Order following, which is made a part hereof by reference -- to Mac Bickling, doing business as "Brighton Cab," Brighton, Colorado, said Dorothy M. Bickling being hereby authorized to withdraw from said partnership.

Transfer of operating rights herein authorized is subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That said transfer shall become effective only if and when, but not before, said transferors and transferee, in writing, have advised the Commission that said certificate has been formally assigned, and that

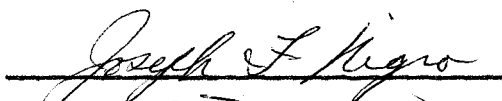
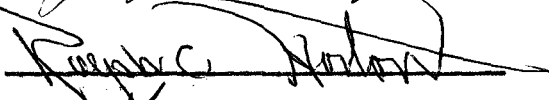

said parties have accepted, and in the future will comply with, the conditions and requirements of this Order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of this Order shall automatically 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 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 9th day of November, 1962.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
CARL SUNDIN)
Pine Bluffs, Wyoming)
-----)

AUTHORITY NO. M 1899
CASE NO. 10151 Ins.

November 14, 1962

S T A T E M E N T

By the Commission:

On November 2, 1962, 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
Joseph C. Norton
Henry E. Zulewsky
Commissioners

Dated at Denver, Colorado,
this 14th day of November, 1962

original

(Decision No. 59600)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF ISSUANCE OF)
TEMPORARY CERTIFICATES OF)
PUBLIC CONVENIENCE AND NE-)
CESSITY UNDER CHAPTER 115,)
SESSION LAWS OF COLORADO,)
1953, FOR EMERGENCY MOVEMENT)
OF MILO.)
-----)

APPLICATION NO. 19446

November 1, 1962

S T A T E M E N T

By the Commission:

Report has been received by the Commission from Louis J. Carter, Supervisor, Complaint and Investigation Division of this Commission, indicating that an emergency exists because of shortage of trucks for transportation of milo, from fields to storage, in the Counties of Baca, Prowers, Bent, and Otero, Colorado, and that said emergency will probably continue for a period of sixty (60) days.

Request is made for an Order of this Commission relative to issuance of temporary certificates of public convenience and necessity for the seasonal transportation of said crops in the counties above set forth.

F I N D I N G S

THE COMMISSION FINDS:

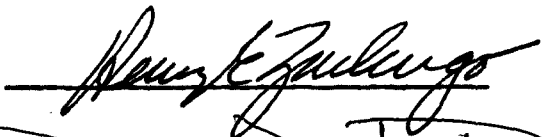
That an emergency exists because of the shortage in certificated trucks for transportation of milo, in the Counties of Baca, Prowers, Bent, and Otero, Colorado, and that public convenience and necessity require that temporary certificates should issue for the operation of motor vehicles for transportation of milo, from fields to storage, as provided by Chapter 115, Article 9, Section 4, Session Laws of 1953, said certificates to be effective from November 1, 1962, to and including December 31, 1962.

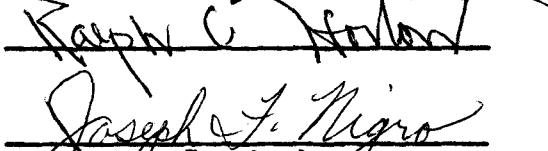
O R D E R

THE COMMISSION ORDERS:

That temporary certificates of public convenience and necessity be, and are hereby, authorized to be issued for the operation of motor vehicles, for the transportation of milo, from fields to storage, in the Counties of Baca, Prowers, Bent, and Otero, Colorado, said certificates to be effective November 1, 1962, and to continue in force up to and including December 31, 1962, no such certificate to issue for the transportation of said product by motor vehicle to any point beyond the boundaries of the State of Colorado.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO





Commissioners.

Dated at Denver, Colorado,
this 1st day of November, 1962.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
FRANCES WOLPO AND ABRAHAM WOLPO,)	
DOING BUSINESS AS "FRAN-WOL CRYSTAL)	
COMPANY," 429 14TH STREET, DENVER,)	APPLICATION NO. 18990-PP-Extension
COLORADO, FOR AUTHORITY TO EXTEND)	<u>SUPPLEMENTAL ORDER</u>
OPERATIONS UNDER PERMIT NO. B-5505.)	
-----)	

November 9, 1962

Appearances: Lawrence Litvak, Esq., Denver,
Colorado, for Applicant;
Truman Stockton, Esq., Denver,
Colorado, and
John H. Lewis, Esq., Denver,
Colorado, for Greyhound
Corporation;
David Butler, Esq., Denver,
Colorado, for Colorado Motor-
way, Inc., and Denver-
Boulder Bus Company;
John R. Barry, Esq., Denver,
Colorado, for American
Bus Lines, Inc.;
Edward T. Lyons, Esq., Denver,
Colorado, for Bethke
Truck Lines;
John P. Thompson, Esq., Denver,
Colorado, for Intrastate
Line-Haul Common Carriers,
Division of the Motor Truck
Common Carriers Association;
Henry S. Sherman, Esq., Denver,
Colorado, for Package
Delivery Service Co.

S T A T E M E N T

By the Commission:

On October 17, 1962, the Commission entered its Decision No. 59436 in the above-styled application, granting to applicants herein the right to extend operations under Permit No. B-5505.

At the hearing, applicant herein moved to amend his application in several respects, one of which was that if authority herein sought be granted, said operating rights would be restricted against the right to transfer the same.

Inadvertently, said restriction was not included in the Commission's Decision No. 59436.

F I N D I N G S

THE COMMISSION FINDS:

That Decision No. 59436, of date October 17, 1962, should be amended, as set forth in the Order following.

O R D E R

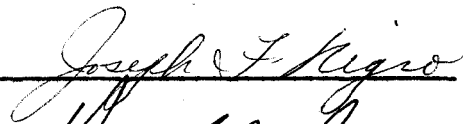

THE COMMISSION ORDERS:

That Decision No. 59436, of date October 17, 1962, be, and the same hereby is, amended, nunc pro tunc, as of said 17th day of October, 1962, by inserting the following, after the first paragraph of the Order contained in said Decision No. 59436, appearing on Page 15 thereof:

"That operating rights herein granted shall be non-transferable."

That, except as herein amended, Decision No. 59436 shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER RALPH C. HORTON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 9th day of November, 1962.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

ALBERT W. JAMES, P. O. BOX 142,
DERBY, COLORADO.

PERMIT NO. M-9599

November 15, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Albert W. James,

Derby, Colorado

requesting that Permit No. M-9599 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-9599, heretofore issued to Albert W. James,

Derby, Colorado be,

and the same is hereby, declared cancelled effective October 13, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 15th day of November, 19 62.

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 59603)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
ALBERT W. JAMES, P. O. BOX 142,)
DERBY, COLORADO.)
)
)
)

PERMIT NO. B-5904

November 15, 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-5904 be suspended
one year
for ~~one year~~ from October 13, 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 Albert W. James, Derby, Colorado

be, and is hereby, authorized to suspend his operations under Permit
No. B-5904 until October 13, 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. Negro
Frank C. Johnson
Henry E. Zurling
Commissioners

Dated at Denver, Colorado,
this 15th day of November, 19 62.

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 59604)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
JOE M. CASTELLANOS, ROUTE 4)
BOX 24, FORT COLLINS, COLORADO.)

PERMIT NO. B-5941

November 15, 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-5941 be suspended
one year
for ~~violation~~ from October 26, 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 Joe M. Castellanos, Fort Collins, Colorado

be, and is hereby, authorized to suspend his operations under Permit
No. B-5941 until October 26, 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
Francis C. Hobson
Wm. E. Zuckerman
Commissioners

Dated at Denver, Colorado,
this 15th day of November, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

WILLIAM W. BERRY, P. O. BOX 272,
YAMPA, COLORADO.

PERMIT NO. M-13142

November 15, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from William W. Berry,
Yampa, Colorado
requesting that Permit No. M-13142 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13142, heretofore issued to William W. Berry,
Yampa, Colorado be,
and the same is hereby, declared cancelled effective August 31, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 15th day of November, 19 62.

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 59606)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
THE GOLDEN CYCLE CORPORATION,)
P. O. BOX 86, COLORADO SPRINGS,)
COLORADO.)

PERMIT NO. B-4041

November 15, 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-4041 be suspended
for six months from October 29, 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 The Golden Cycle Corporation, Colorado Springs, Colorado

be, and is hereby, authorized to suspend their operations under Permit
No. B-4041 until April 29, 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. Negro
Joseph C. Horton
King E. ...
Commissioners

Dated at Denver, Colorado,
this 15th day of November, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
BRIGHT A. HOSHIKO, 1220 - 4TH AVENUE,)
GREELEY, COLORADO.)
_____)

PERMIT NO. M-8627

November 15, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Bright A. Hoshiko,
Greeley, Colorado
requesting that Permit No. M-8627 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8627, heretofore issued to Bright A. Hoshiko,
Greeley, Colorado be,
and the same is hereby, declared cancelled effective October 13, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,
this 15th day of November, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
PHILLIP RABE AND LAWRENCE SEILS,)
DOING BUSINESS AS, "RABE AND)
SEILS", RICKETTS, IOWA.)

PUC NO. 5185-I

November 15, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Phillip Rabe and Lawrence Seils, doing business as, "Rabe & Seils", Ricketts, Iowa requesting that Certificate of Public Convenience and Necessity No. 5185-I be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Certificate No. 5185-I heretofore issued to Phillip Rabe and Lawrence Seils, doing business as, "Rabe & Seils", Ricketts, Iowa be, and the same is hereby, declared cancelled effective October 29, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Horton
Commissioners

Dated at Denver, Colorado
this 15th day of November, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
E. W. PERLENFEIN, DOING BUSINESS AS,)
"PERLENFEIN IMPLEMENT", 121 SOUTH)
MAIN, YUMA, COLORADO.)
-----)

PERMIT NO. M-5787

November 15, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from E. W. Perlenfein,
doing business as, "Perlenfein Implement", Yuma, Colorado
requesting that Permit No. M-5787 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-5787, heretofore issued to E. W. Perlenfein,
doing business as, "Perlenfein Implement", Yuma, 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
Joseph C. Norton
Wm. E. Zurlings
Commissioners

Dated at Denver, Colorado,

this 15th day of November, 19 62

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
PAUL L. COLLINS AND MILES JOHN WELSH,)
DOING BUSINESS AS, "AUCTION MOTOR)
COMPANY", 2755 WEST ALAMEDA AVENUE,)
DENVER 19, COLORADO.)

PERMIT NO. M-8265

November 15, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Paul L. Collins and
Miles John Welsh, dba "Auction Motor Company", Denver 19, Colorado
requesting that Permit No. M-8265 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8265, heretofore issued to Paul L. Collins and Miles
John Welsh, dba "Auction Motor Company", Denver 19, Colorado be,
and the same is hereby, declared cancelled effective March 31, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Houton
Henry C. Zoultz
Commissioners

Dated at Denver, Colorado,

this 15th day of November, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
AMERICAN COACH COMPANY (CORPORATION),)
P. O. BOX 358, NEWTON, KANSAS.)
)
)
-----)

PERMIT NO. M-15980

November 15, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from American Coach Company
(Corporation), Newton, Kansas
requesting that Permit No. M-15980 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15980, heretofore issued to American Coach Company
(Corporation), Newton, Kansas be,
and the same is hereby, declared cancelled effective February 16, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 15th day of November, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
HENRY STAHLA)
STAHLA TRAILER SALES)
Route 3, Box 532)
Greeley, Colorado)
-----)

AUTHORITY NO. M 2157
CASE NO. 10220 Ins.

November 15, 1962

S T A T E M E N T

By the Commission:

On November 2, 1962, 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 J. Figue
James C. Figue
Henry H. Figue
Commissioners

Dated at Denver, Colorado,
this 15th day of November, 1962

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MISSOURI PACIFIC RAILROAD COMPANY,)
OSAWATOMIE, KANSAS, TO RETIRE TRACK) APPLICATION NO. 19291
NUMBER 1 AT LOLITA, COLORADO.)

November 9, 1962

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, Missouri Pacific Railroad Company, by its Attorney, did on August 14, 1962, file its petition requesting authority to retire and remove its industry siding track and therewith dismantle the adjacent stock pen at its station known as Lolita, Crowley County, Colorado.

Lolita is located at Mile Post 836.33 on Applicant's main line extending eastward from Pueblo through Ordway and Eads, Colorado, to Kansas City, Missouri. Sugar City is located 4.95 miles to the west where siding trackage, stock pens and Agency service are all available. Public notice of the proposed track withdrawal was posted on the Bulletin Board at the Sugar City station, since railroad patrons come to this station to transact business.

According to the instant application, the industry track is not a part of the main line; there are no agreements to serve any industry on the trackage, and the only facility served is a railroad stockpen which is to be dismantled because of non-use and lack of demand for rail service from this point. Removal of the trackage will permit salvage of the material and eliminate non-productive mainte-

nance expense.

Upon investigation of this matter, it was determined there is no community development at Lolita - only the side track and a mesh-wire fence enclosed stock pen; that in recent years patrons have used rail facilities at Sugar City where there is also an agent; further, that with improved roads in the area there is extensive track movement of stock to Sale Markets at Limon and La Junta; also that Santa Fe facilities are utilized at Cheraw and La Junta where railroad loading crews are available.

The industry siding track is crossed near its mid-point by a County Road extending north from the paralleling State Highway No. 96. The crossing has the effect of reducing capacity of the siding, and storage of cars will in turn produce the hazard for vehicular traffic of reduced view of approaching trains.

It appears in this case there are ample rail facilities in the region to meet local needs; absence of any community development and past non-use of the facility offers little justification for continued maintenance of the stock-pen. On the other hand, removal of the trackage will secure a reduction of the crossing hazard which is in the public interest.

No protests have been submitted and none appears in the files of this matter; hence, 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 Lolita area can and is being adequately served by other existing stations and track facilities.

That insufficient public demand or usage now exists to properly justify continued operation and maintenance of the siding

trackage now located at Lolita, Colorado.

That authority sought in the instant application should be granted.

O R D E R

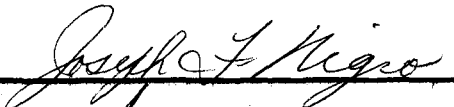

THE COMMISSION ORDERS:

That the above Statement and Findings be made a part hereof.

That Missouri Pacific Railroad Company, Osawatomie, Kansas, be, and it hereby is, authorized to remove, dismantle, abandon, and retire its stock-pens and siding trackage at Mile Post 836.33 located at Lolita, Crowley 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 RALPH C. HORTON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 9th day of November, 1962.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
THOMAS W. ROGERS, MANASSA,)
COLORADO.)

PERMIT NO. B-2025

November 9, 1962

S T A T E M E N T

By the Commission:

Under the above-styled permit, Thomas W. Rogers, Manassa, Colorado, owner and operator thereof, is authorized, among other things, to perform transportation service for "Haynie Hardware Company."

Said permit-holder has now advised this Commission that said Haynie Hardware Company has been purchased by Otho Bagwell and Louise Bagwell, who operate said business under the name of "Bagwell General Merchandise," and has requested authority to continue service to said new company.

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 "Bagwell General Merchandise" be, and hereby is, substituted for "Haynie Hardware Company," to be served by Thomas W. Rogers, Manassa, Colorado, under Permit No. B-2025.

This Order shall be effective nunc pro tunc, as of November 1, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

COMMISSIONER RALPH C. HORTON NOT PARTICIPATING.

Dated at Denver, Colorado,
this 9th day of November, 1962.
mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
A. L. EMERY, DOING BUSINESS AS)	
"CINEMA SERVICE," P. O. BOX 4,)	
FORT COLLINS, COLORADO, FOR AU-)	
THORITY TO TRANSFER INTERSTATE)	<u>PUC NO. 2370-I-Transfer</u>
OPERATING RIGHTS TO CINEMA SERVICE,)	
INC., P. O. BOX 4, FORT COLLINS,)	
COLORADO.)	
-----)	

November 9, 1962

S T A T E M E N T

By the Commission:

A. L. Emery, doing business as "Cinema Service," Fort Collins, Colorado, owner and operator of PUC No. 2370-I, herein seeks authority to transfer said operating rights to Cinema Service, Inc., Fort Collins, Colorado, said PUC No. 2370-I being the right to operate as a common carrier by motor vehicle for hire, for service:

between all points in Colorado and the Colorado State Boundary Lines, where all highways cross same, in interstate commerce, only, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

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 A. L. Emery, doing business as "Cinema Service," Fort Collings, Colorado, be, and he hereby is, authorized to transfer all his right, title and interest in and to PUC No. 2370-I -- with authority

as set forth in the Statement preceding, which is made a part hereof, by reference -- to Cinema Service, Inc., Fort Collins, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured, and subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Henry Gladings
Commissioners.

COMMISSIONER RALPH C. HORTON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 9th day of November, 1962.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
KENNETH R. COLGAN, 10490 WEST 78TH)
AVENUE, ARVADA, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)
-----)

APPLICATION NO. 19240-PP
SUPPLEMENTAL ORDER

November 9, 1962

Appearances: Kenneth R. Colgan, Arvada,
Colorado, pro se.

S T A T E M E N T

By the Commission:

By Decision No. 59064, of date August 13, 1962, entered
by the Commission in the above-styled application, Kenneth R. Colgan,
Arvada, Colorado, applicant herein, was granted a Class "B" permit,
authorizing operation as a private carrier by motor vehicle for hire.

The Commission is now in receipt of a communication from
said applicant, requesting that said operating rights be suspended
for a period of one year.

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 Kenneth R. Colgan, Arvada, Colorado, be, and he hereby
is, authorized to suspend operations under operating rights granted
by Decision No. 59064, of date August 13, 1962, entered by the Com-
mission in Application No. 19240-PP, until September 3, 1963.

That unless said Kenneth R. Colgan shall, prior to expira-
tion of said suspension period, reinstate said operating rights by

filing insurance and otherwise complying with all rules and regulations of the Commission applicable to private carrier permits, said operating rights, without further action by this Commission, shall stand revoked, without right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
James E. Paduga
Commissioners.

COMMISSIONER RALPH C. HORTON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 9th day of November, 1962.

ea

(Decision No. 59617)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE ITEM NO. 865, FREIGHT
TRANSPORTED IN "CARGOTAINERS",
COLORADO MOTOR CARRIERS'
ASSOCIATION, AGENT TARIFF NO.
12-A, COLORADO PUC NO. 11

INVESTIGATION & SUSPENSION
DOCKET NO. 495

November 9, 1962
- - - - -

S T A T E M E N T

BY THE COMMISSION:

On June 14, 1962, J. R. Smith, Chief of Tariff Bureau, Colorado Motor Carriers' Association, Agent, filed with the Commission, 1st Revised Page No. 89-A, Item 865, to its Local and Joint Freight Tariff No. 12-A, Colorado P.U.C. No. 11, scheduled to become effective July 20, 1962, proposing reduced charges on freight transported in "Cargotainers".

By Decision No. 58928 dated July 16, 1962, the operation of said schedule was suspended to November 17, 1962. It now appears that the matter cannot be concluded within the 120 day suspension period and therefore should be further suspended for an additional period of six (6) months.

F I N D I N G S

THE COMMISSION FINDS, That:

The schedules, as set forth in the statement published to become effective July 20, 1962, should be further suspended for an additional period of six (6) months or to and including May 17, 1963.

O R D E R

THE COMMISSION ORDERS, That:

1. The Statement and Findings, be, and they are hereby made a part hereof.
2. The operation of said schedules set forth in the statement herein, shall be further suspended for an additional

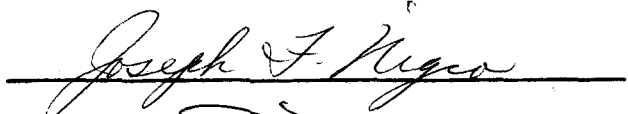
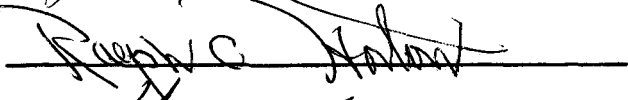

period of six (6) months or to and including May 17, 1963, unless otherwise ordered by the Commission and no change shall be made during the said period of suspension.

3. The rates, rules and regulations 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 extension thereof has expired.

4. A copy of this order shall be filed with the said tariff in the office of the Commission and that copy hereof be forthwith served upon J. R. Smith, Chief of Tariff Bureau, Colorado Motor Carriers' Association, Agent, 4060 Elati Street, Denver 16, Colorado.

5. The necessary suspension supplement shall be issued to the tariff referred to in the statement herein.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado this
9th day of November, 1962.

jbw

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE INCREASED PASSENGER FARES AND)
CHARGES, LITTLE PERCENT TAXI, INC.)

INVESTIGATION AND SUSPENSION
DOCKET NO. 503

November 9, 1962

S T A T E M E N T

BY THE COMMISSION:

On October 8, 1962, Little Percent Taxi, Inc., Aspen, Colorado, filed schedules of increased charges and passenger fares for passengers and baggage transported within the cities of Aspen or Glenwood Springs, between points within Pitkin, Garfield, and Eagle Counties and other points in the State of Colorado, increased sightseeing fares, etc. as particularly set forth in its tariff No. 2, Colorado P.U.C. No. 2, such tariff to become effective November 15, 1962. The tariff proposes, for example, to increase the present passenger fares from 35 cents for the first fourth mile to 35 cents for the first fifth mile and to increase the rate of 10 cents for each additional fourth mile to 10 cents for each additional fifth mile, an increase of 10 cents per mile, viz: from 65 cents per mile to 75 cents per mile for an increase of 15.3 per cent over the present rate. Fares between Pitkin, Garfield and Eagle Counties and other points in the State of Colorado outside a five-mile radius of the station are increased from the rate of 30 cents to 35 cents per mile for the first passenger, resulting in an increase in excess of 16 per cent.

The increased fares and charges may, if permitted to become effective, result in increases 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 fares and charges contained therein.

F I N D I N G S

THE COMMISSION FINDS, That:

Upon its own motion, without formal pleading, the schedules as referred to in the statement herein should be suspended and that it enter upon a hearing concerning the lawfulness thereof.

O R D E R

THE COMMISSION ORDERS, That:

1. The Statement and Findings, be, and they are hereby made a part hereof.

2. It shall, upon its own motion enter upon a hearing concerning the lawfulness of the fares and charges as published in Little Percent Taxi, Inc., Tariff No. 2, Colorado P.U.C. No. 2, issued to become effective November 15, 1962.

3. The operation of said schedules be and it hereby is suspended, and the use thereof be deferred to and including March 15, 1963, unless otherwise ordered by the Commission.

4. Neither the schedules hereby suspended nor those sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension or any extension thereof has expired, unless otherwise ordered by the Commission.

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.

6. A copy of this order be filed with the schedules in the office of the Commission and that a copy hereof be served upon Little Percent Taxi, Inc., P. O. Box 742, Aspen, Colorado, and that said carrier be, and is hereby made respondent to this proceeding.

7. This Investigation and Suspension Docket No. 503, be and the same is hereby set for hearing before the Commission on

December 4, 1962 at 10:00 A.M., 532 State Services Building, 1525
Sherman Street, Denver 2, Colorado.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Commissioners

Dated at Denver, Colorado this
9th day of November, 1962.

COMMISSIONER RALPH C. HORTON
NECESSARILY ABSENT AND DID
NOT PARTICIPATE.

jbw

PERMIT NO. M-10999

STATEMENT

requesting that Permit No. M-10999 be cancelled.

ORDER

and the same is hereby, declared cancelled effective October 18, 1962.

Joseph F. Negro
Ralph C. Horton
Kurt E. Zuckerman

this 21st day of November , 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JOHN WEIMER, JR., 1601 CEDAR AVENUE,)
GREELEY, COLORADO.)
)
)
-----)

PERMIT NO. M-15825

November 21, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from John Weimer, Jr.,
Greeley, Colorado
requesting that Permit No. M-15825 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15825, heretofore issued to John Weimer, Jr.,
Greeley, Colorado be,
and the same is hereby, declared cancelled effective October 8, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Hobart
Henry E. Spaulding
Commissioners

Dated at Denver, Colorado,
this 21st day of November, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
S. G. PRESCOTT, DOING BUSINESS AS,)
"CARTER SERVICE", OTIS, COLORADO.)
-----)

PERMIT NO. M-10071

November 21, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from S. G. Prescott, doing
business as, "Carter Service", Otis, Colorado
requesting that Permit No. M-10071 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10071, heretofore issued to S. G. Prescott, doing
business as, "Carter Service", Otis, Colorado be,
and the same is hereby, declared cancelled effective October 1, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 21st day of November, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
JACK FREEMAN AND RUSSELL FREEMAN,)
DOING BUSINESS AS, "JACK FREEMAN)
AND SON", P. O. BOX 488, MONTROSE,)
COLORADO.)

PERMIT NO. B-5673

November 21, 1962

S T A T E M E N T

By the Commission:

On July 15, 1962, the Commission authorized Jack Freeman and Russell Freeman, doing business as, "Jack Freeman and Son", to suspend operations under their Permit No. B-5673, until July 15, 1963.

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

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-5673, should be, and the same hereby is reinstated as of November 2, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Hobson
Henry E. Zurling
Commissioners

Dated at Denver, Colorado,

this 21st day of November, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
FRINK CREAMERY COMPANY (CORPORATION),)
SANFORD, COLORADO.)
)
)
-----)

PERMIT NO. M-2057

November 21, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Frink Creamery Company
(Corporation), Sanford, Colorado
requesting that Permit No. M-2057 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2057, heretofore issued to Frink Creamery Company
(Corporation), Sanford, Colorado be,
and the same is hereby, declared cancelled effective September 15, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Commissioner

Dated at Denver, Colorado,

this 21st day of November, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
GAS SUPPLY AND APPLIANCE COMPANY,)
102 SANTA FE AVENUE, LA JUNTA, COLO-)
RADO.)
-----)

PERMIT NO. M-5430

November 21, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Gas Supply and Appliance
Company, La Junta, Colorado

requesting that Permit No. M-5430 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-5430, heretofore issued to Gas Supply and Appliance
Company, La Junta, 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
George C. Holcomb
Commissioners

Dated at Denver, Colorado,

this 21st day of November, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
G. CARROLL JOHNSON AND BETTY JOHNSON,)
DOING BUSINESS AS, "CARROLL'S)
STANDARD SERVICE", 5397 SHERIDAN,)
ARVADA, COLORADO)

PERMIT NO. M-15060

November 21, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from G. Carroll Johnson and Betty Johnson, dba "Carroll's Standard Service", Arvada, Colorado requesting that Permit No. M-15060 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15060, heretofore issued to G. Carroll Johnson and Betty Johnson, dba "Carroll's Standard Service", Arvada, Colorado be, and the same is hereby, declared cancelled effective April 30, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Horton
Arthur E. Zupke
Commissioners

Dated at Denver, Colorado,

this 21st day of November, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LOUIS F. SUTTON AND RUTH M. SUTTON,)
1903 EAST PINCHOT AVENUE, PHOENIX 16,)
ARIZONA.)
-----)

PERMIT NO. M-12385

November 21, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Louis F. Sutton and Ruth M. Sutton, Phoenix 16, Arizona requesting that Permit No. M-12385 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12385, heretofore issued to Louis F. Sutton and Ruth M. Sutton, Phoenix 16, Arizona be, and the same is hereby, declared cancelled effective November 30, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 21st day of November, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
FRANK A. CALER, P. O. BOX 248, GREAT)
FALLS, MONTANA.)
)
)
-----)

PERMIT NO. M-10382

November 21, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Frank A. Caler,
Great Falls, Montana
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,
Great Falls, Montana be,
and the same is hereby, declared cancelled effective October 13, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Frank C. Norton
Henry E. Zerkow
Commissioners

Dated at Denver, Colorado,

this 21st day of November, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
FRANK A. CALER, P. O. BOX 248,)
GREAT FALLS, MONTANA.)

PUC NO. 5149-I

November 21, 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
one year
be suspended for ~~*****~~ from October 13, 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, Great Falls, Montana

_____ be, and is hereby, authorized to suspend oper-
ations under PUC No. 5149-I until October 13, 1963.

That unless said certificate-holder shall, prior to the expira-
tion of said suspension period, make a request in writing for the reinstate-
ment of said certificate, file insurance and otherwise comply with all
rules and regulations of the Commission applicable to common carrier cer-
tificates, 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. Horton
Henry E. Zuckers

Dated at Denver, Colorado,
this 21st day of November, 196 2.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
UNION GAS AND EQUIPMENT CORPORATION,)
191 CENTRAL MAIN STREET, PUEBLO,)
COLORADO.)
-----)

PERMIT NO. M-3146

November 21, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Union Gas & Equipment Corporation, Pueblo, Colorado
requesting that Permit No. M-3146 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-3146, heretofore issued to Union Gas & Equipment Corporation, Pueblo, Colorado be,
and the same is hereby, declared cancelled effective November 1, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Hordant
Wm. E. Zullinger
Commissioners

Dated at Denver, Colorado,
this 21st day of November, 19 62.

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

EARL P. COGBURN AND EMMETT RUMSEY,
Gilcrest, Colorado, et al., viz.,
148 Patrons of the Gilcrest District,

Complainants,

vs.

THE MOUNTAIN STATES TELEPHONE AND
TELEGRAPH COMPANY, 14th at Curtis
Streets, Denver 2, Colorado,

Defendant.

CASE NO. 5182

November 19, 1962

Appearances: Herbert E. Mann, Esq., Greeley,
Colorado, for Complainants.

S T A T E M E N T

By the Commission:

Heretofore, Complaint having been filed with the Commission in the above-styled matter, Order to Satisfy or Answer was issued by the Commission, and Answer thereto was filed by Defendant herein.

The Commission is now in receipt of a communication from Attorney for Complainants herein, requesting dismissal of said Case, inasmuch as complaints have been removed by the Telephone Company.

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

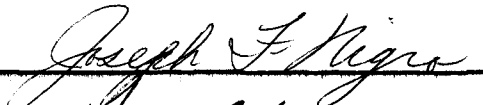

THE COMMISSION ORDERS:

That Case No. 5182 be, and the same hereby is, dismissed, upon request of Attorney for Complainants herein, and said matter

closed upon the docket of the Commission.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER RALPH C. HORTON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 19th day of November, 1962.

mls

original

(Decision No. 59631)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
EDDIE GALLEGOS, 516 STOVER STREET,)
FORT COLLINS, COLORADO, FOR A CLASS)
"B" PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)
- - - - -

APPLICATION NO. 19408-PP

- - - - -
November 19, 1962
- - - - -

Appearances: Kenneth H. Gross, Esq., Fort
Collins, 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 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 was regularly set for hearing before the Commission, at the Court House, Fort Collins, Colorado, November 7,

1962, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On November 5, 1962, the Commission, as provided by law, designated Louis J. Carter, an employee of this Commission, to conduct 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 PUC No. 4438, issued by this Commission; that he has four trucks, including two dump trucks; that he is presently engaged in transportation of commodities herein sought, under Temporary Authority issued by this Commission; that he is now hauling for Sterling Sand & Gravel, of Fort Collins, Colorado; that he has received numerous requests for his services hereon proposed; that he has a net worth of \$27,000.

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

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

Findings of the Examiner are that applicant is a fit and proper person, has sufficient equipment, and is financially able to render the services sought herein; 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 motor vehicle common carrier.

Report of said 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 herein 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 Eddie Gallegos, Fort Collins, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other 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, transportation of road-surfacing materials being restricted

against the use of tank vehicles.

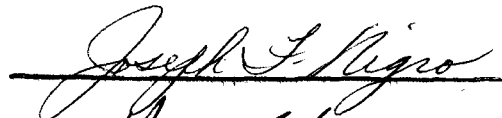

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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.

That this Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER RALPH C. HORTON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 19th day of November, 1962.

mls

original

(Decision No. 59632)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
WILLIAM R. NEIDERHISER, 6857)
MAGNOLIA STREET, DERBY, COLORADO.)

PERMIT NO. B-5442

November 19, 1962

S T A T E M E N T

By the Commission:

On November 22, 1961, the Commission entered its Decision No. 57488, authorizing suspension of operations by the above-styled permit-holder under Permit No. B-5442 from September 29, 1961, until March 29, 1962.

The Commission is now in receipt of a communication from said permit-holder, requesting authority to further suspend operations under said permit, until March 29, 1963.

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

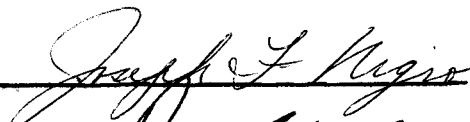
THE COMMISSION ORDERS:


That William R. Neiderhiser, Boone, Colorado, be, and hereby is, authorized to further suspend operations under Permit No. B-5442, nunc pro tunc, from March 29, 1962, until March 29, 1963.

That unless said permit-holder shall, prior to expiration of said suspension period, make a request, in writing, for reinstatement of said permit, file insurance, and otherwise comply with all rules and regulations of this Commission applicable to pri-

vate carrier permits, said permit, without further action by the
Commission, shall stand revoked, without right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO





Commissioners.

COMMISSIONER RALPH C. HORTON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 19th day of November, 1962.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CHARLES W. HOFFMAN, 1001 PROSPECT)
AVENUE, FORT COLLINS, COLORADO, FOR)
AUTHORITY TO TRANSFER PERMIT NO.) APPLICATION NO. 19409-PP-Transfer
B-6186 TO PATRICIA A. HOFFMAN, 1001)
PROSPECT AVENUE, FORT COLLINS,)
COLORADO.)
-----)

November 19, 1962

S T A T E M E N T

By the Commission:

By the above-styled application, Charles W. Hoffman,
Fort Collins, Colorado, owner of Permit No. B-6186, seeks authority
to transfer said operating rights to Patricia A. Hoffman, Fort
Collins, Colorado,

Said application was regularly set for hearing before
the Commission, at the Court House, Fort Collins, Colorado, November 7,
1962, at ten o'clock A. M., due notice thereof being forwarded to all
parties in interest.

On November 5, 1962, 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, applicants herein failed to appear, either in
person or by counsel

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

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part

of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

After reviewing the Report of the Examiner herein, we find that the instant application should be continued, to be later re-set for hearing, with notice to all parties in interest.

O R D E R

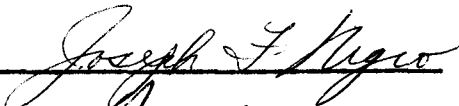
THE COMMISSION ORDERS:


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

That Application No. 19409-PP-Transfer be, and the same hereby is, continued, said matter 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





Commissioners.

COMMISSIONER RALPH C. HORTON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 19th day of November, 1962.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
HUBERT E. TYLER, DOING BUSINESS AS)	
"THE MARVEL INDEPENDENT TELEPHONE)	
COMPANY," P. O. BOX 35, HESPERUS,)	
COLORADO, FOR AUTHORITY TO TRANSFER)	
CERTIFICATE OF PUBLIC CONVENIENCE)	
AND NECESSITY AUTHORIZING TELEPHONE)	APPLICATION NO. 19290-Transfer
SERVICE IN AND AROUND MARVEL, COLO-)	
RADO, IN THE COUNTIES OF LA PLATA)	
AND MONTEZUMA, COLORADO, PRESENTLY)	
OWNED AND OPERATED BY HIM, TO)	
SUBURBAN TELEPHONE COMPANY, P. O.)	
BOX 35, HESPERUS, COLORADO.)	
-----)	

November 19, 1962

Appearances: John R. Barry, Esq., Denver,
Colorado, for Applicants;
David J. Baldwin, Hesperus,
Colorado, for Transferee;
Louis Rovira, Denver, Colo-
rado, for The Mountain States
Telephone and Telegraph
Company;
Anthony L. Mueller, Denver,
Colorado, for the Staff of
the Commission.

S T A T E M E N T

By the Commission:

The above-styled application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Durango, Colorado, October 19, 1962, commencing at ten o'clock A. M., and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, it appeared that transferor herein has agreed to sell certificate of public convenience and necessity authorizing telephone service, together with all assets, including plant of said Telephone Company, to Universal Telephone Company, the parent company of Suburban Telephone Company, which will in turn transfer all assets and said certificate to Suburban; that the purchase price is \$16,000, to be paid in cash.

Detailed examination of the plant discloses that the original cost of plant at the time of sale was approximately \$16,000. Several months have elapsed since the date of sale, and depreciation has reduced the plant so that there will be some acquisition adjustment at this time.

Universal is the owner of a number of telephone companies throughout the country, and also the manufacturer of some electronic equipment. Testimony of its experts disclosed it is believed the operation of this company to be feasible, although the plant will require some replacement -- especially on pole lines -- but that Suburban has no present plans for an increase in rates.

The financial ability of transferee was established to the satisfaction of the Commission.

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

F I N D I N G S

THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Hubert E. Tyler, doing business as "The Marvel Independent Telephone Company," Hesperus, Colorado, be, and he hereby is, authorized to transfer all right, title and interest in and to certificate of public convenience and necessity authorizing telephone service in and around Marvel, Colorado, in the Counties of La Plata and Montezuma, Colorado, presently owned and operated by him, to Suburban Telephone Company, Hesperus, Colorado.

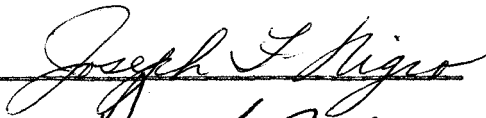
Transferee shall set up its books and accounts in agreement with the Uniform Classification of Accounts, as prescribed by this Commission.


That applicant shall file with the Commission opening journal entries showing plant acquisition adjustment, if any, within ninety (90) days after the effective date of this Order.

The transferee, in accordance with Rule No. 21 of the Rules of Practice and Procedure of the Commission, shall adopt the present rates, rules and regulations of The Marvel Independent Telephone Company, which are presently effective and on file with this Commission, until changed according to law and the 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 RALPH C. HORTON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 19th day of November, 1962.

ea

original

(Decision No. 59635)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JACOB W. STOTTS AND DOROTHY K.)
STOTTS, BOX 212, MEAD, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE)
AS A PRIVATE CARRIER BY MOTOR VE-)
HICLE FOR HIRE.)
-----)

APPLICATION NO. 19410-PP

November 19, 1962

Appearances: Dorothy K. Stotts, Mead,
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 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, 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, November 7, 1962, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On November 5, 1962, 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, Dorothy K. Stotts, one of applicants herein, appeared and testified in support of the application, stating she and her husband, Jacob W. Stotts, are the owners of three dump trucks -- a 1952 G.M.C two-ton, a 1950 Chevrolet five-ton, and a 1960 Chevrolet two-ton; that they own their home; that they have a gross worth of \$17,000; that they are presently operating under Temporary Authority issued by this Commission; that they have received many requests for their proposed service; that in the event authority herein sought is granted, they will obey the law and 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 applicants were established to the satisfaction of the Examiner.

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.

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; that applicants herein 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 Jacob W. Stotts and Dorothy K. Stotts, Mead, 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 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, 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



Commissioners.

COMMISSIONER RALPH C. HORTON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 19th day of November, 1962.

ea

original

(Decision No. 59636)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
VERE WESTWOOD, INC., MOAB, UTAH,)
FOR A CLASS "B" PERMIT TO OPERATE) APPLICATION NO. 19353-PP
AS A PRIVATE CARRIER BY MOTOR VE-)
HICLE FOR HIRE.)

November 19, 1962

Appearances: Raymond B. Danks, Esq., Den-
ver, Colorado, for Applicant;
Hugo L. Willis, Silverton, Colo-
rado, 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 ore and ore concentrates, between points within a radius of fifteen miles of Silverton, Colorado, for Standard Metals, Inc., only.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Durango, Colorado, October 19, 1962, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, it was established that applicant herein has a proposed contract with Standard Metals Mining Company, to transport ore from said Standard Metals Mining Company American tunnel, to the mill at Silverton, Colorado; that this will involve a shipment of six hundred tons of ore per day, from the tunnel to the mill, involving approximately three pieces of very expensive equipment; that because of the experience required in handling the ore, and the great amount of investment required, witness for Standard Metals believed a common carrier could not perform the job. Witnesses for said company

stated that they are acquainted with the operations of applicant herein in Utah; that they know that applicant is highly capable of rendering the service; that if said application is not granted they will continue to use their own trucks.

No evidence was offered on behalf of any protestant herein.

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 permit should issue to applicant herein, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Vere Westwood, Inc., Moab, Utah, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of ore and ore concentrates, between points within a radius of fifteen miles of Silverton, Colorado, for Standard Metals Mining Company, Inc., 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 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 RALPH C. HORTON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 19th day of November, 1962.

mls

original

(Decision No. 59637)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
EVERETT H. PRESTON, RURAL ROUTE 1,)
BOX 16, IGNACIO, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 19352-PP

November 19, 1962

Appearances: Everett H. Preston, Ignacio,
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 bulk milk, from point to point within a radius of fifty miles of where U. S. Highway No. 550 intersects the Colorado-New Mexico State Line, to milk-processing plants within said fifty-mile radius, and surplus milk from milk-processing plants in said area, to any other milk-processing plant within the State of Colorado, as directed by the Federal Milk Marketing Bureau.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Durango, Colorado, October 19, 1962, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, it appeared that applicant, at the present time, is an interstate carrier, delivering milk to Farmington, New Mexico; that the Federal Milk Marketing Bureau has directed that they cease delivering milk to markets in Farmington, and deliver to other markets in Colorado; thus, Applicant is already rendering service, but

the destination has been changed by the Federal Milk Marketing Bureau.

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

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

F I N D I N G S

THE COMMISSION FINDS:

That permit should issue to applicant herein, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Everett H. Preston, Ignacio, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of bulk milk, from point to point within a radius of fifty miles of where U. S. Highway 550 intersects the Colorado-New Mexico State Line, to milk-processing plants within said fifty-mile radius, and surplus milk from milk-processing plants in said area, to any other milk-processing plant within the State of Colorado, as directed by the Federal Milk Marketing Bureau.

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

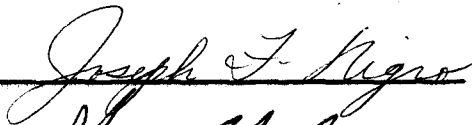

That this Order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured authority sheets.

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 RALPH C. HORTON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 19th day of November, 1962.

mls

original

(Decision No. 59638)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
COLORADO FOREST PRODUCTS, INC., P.)	
O. BOX 442, DOLORES, COLORADO, FOR)	<u>APPLICATION NO. 19355-PP</u>
A CLASS "B" PERMIT TO OPERATE AS A)	
PRIVATE CARRIER BY MOTOR VEHICLE FOR)	
HIRE.)	

November 19, 1962

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs, poles, and timber products, from forests to sawmills, places of storage, and loading points within a radius of one hundred miles of said forests, rough lumber, from sawmills in said one-hundred-mile radius, to markets in the State of Colorado, with no town-to-town service.

Said application was regularly set for hearing before the Commission, at the Court House, Durango, Colorado, October 19, 1962, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

Notwithstanding said notice, Applicant herein failed to appear at the time and place designated for hearing, either in person or by counsel.

Thereupon, the files were made a part of the record, and said matter was taken under advisement.

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

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

F I N D I N G S

THE COMMISSION FINDS:

That permit should issue to Applicant herein, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Colorado Forest Products, Inc., Dolores, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs, poles, and timber products, from forests to sawmills, places of storage, and loading points within a radius of one hundred miles of said forests; rough lumber, from sawmills in said one-hundred-mile radius, to markets in the State of Colorado, with no town-to-town service.



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 RALPH C. HORTON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 19th day of November, 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 AUTH-) ORITY TO EXTEND OPERATIONS UNDER) PERMIT NO. B-4576.) -----)	APPLICATION NO. <u>19440-PP-Extension</u>
---	---

November 20, 1962

Appearances: William Steely, Fort Collins,
Colorado, pro se.

S T A T E M E N T

By the Commission:

Applicant herein is the owner and operator of Permit No.
B-4576, being the right to operate as a private carrier by motor
vehicle for hire, for the transportation of:

Sand, gravel, and other road-surfacing materials
from pits and supply points located in the State
of Colorado, to road and building construction
jobs located within a 50-mile radius of said pits
and supply points, excluding service in Clear Creek,
Gilpin and Boulder Counties, Colorado.

Transportation of sand, gravel, and other road-
surfacing materials used in the construction of
roads and highways, from pits and supply points
in the State of Colorado, to road jobs, mixer
and processing plants within a radius of fifty
(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 home 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; 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, including service
in Boulder, Clear Creek, and Gilpin Counties.

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.

By the instant application, said permit-holder seeks authority to extend operations under said 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 radius of fifty miles of Fort Collins, Colorado, to processing plants, railroad loading points, and places of storage within said fifty-mile radius.

Said application was regularly set for hearing before the Commission, at the Court House, Fort Collins, Colorado, November 7, 1962, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On November 5, 1962, 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-4576; that he has received numerous requests for his proposed extended service thereunder; that he is the owner of three dump trucks; that he has a net worth of \$30,000; that in the event authority herein sought is granted, he will obey the law and 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 the service herein sought; that there is presently a need for such extended 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 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 operating in the territory sought to be served by applicant herein; that applicant, financially and by experience, is qualified to conduct his proposed extended services; that authority should be granted to applicant herein to extend operations under Permit No. B-4576, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

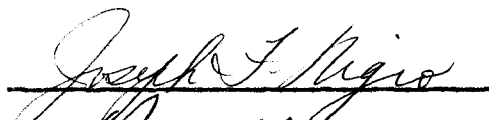

That Report of the Examiner referred to in the above and foregoing Findings be, and the same hereby is, approved.

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 radius of fifty miles of Fort Collins, Colorado, to processing plants, railroad loading points, and places of storage within said fifty-mile radius.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

COMMISSIONER RALPH C. HAYDON
NOT PARTICIPATING.
Dated at Denver, Colorado,
this 20th day of November, 1962.
ea



Commissioners.

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LOUIS N. ALBRIGHT, BAYFIELD, COLO-)
RADO, FOR AUTHORITY TO TRANSFER PUC)
NO. 3874 AND PUC NO. 3874-I TO TIM D.) APPLICATION NO. 19354-Transfer
PENE, ROUTE 1, BOX 540, DURANGO,)
COLORADO.)
-----)

November 20, 1962

Appearances: Louis N. Albright, Bayfield,
Colorado, pro se;
Tim D. Pene, Durango, Colo-
rado, pro se.

S T A T E M E N T

By the Commission:

By the above-styled application, Louis N. Albright,
Bayfield, Colorado, owner and operator of PUC No. 3874 and PUC
No. 3874-I, seeks authority to transfer said operating rights to
Tim D. Pene, Durango, Colorado, said certificates being the right
to operate as a common carrier by motor vehicle for hire, for the
transportation of:

Farm products, including livestock, between
points within twenty-five miles of Durango,
Colorado, and livestock between points within
said radius and other points in the State of
Colorado, provided that no livestock load shall
be hauled outside the twenty-five-mile radius
in any vehicle, excepting a straight truck
having a bed sixteen feet or shorter in length;

Between all points in Colorado and the Colorado
State Boundary Lines where all highways cross
the same, in interstate commerce, only.

Said application, pursuant to prior setting, after appro-
priate notice to all parties in interest, was heard at the Court
House, Durango, Colorado, October 19, 1962, and at the conclusion
of the evidence, the matter was taken under advisement.

At the hearing, applicants herein appeared and testified in
support of their application, stating that the purchase price for

said operating rights is the sum of \$2,500.

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 Louis N. Albright, Bayfield, Colorado, be, and he hereby is, authorized to transfer all right, title, and interest in and to PUC No. 3874 and PUC No. 3874-I -- with authority as set forth in the Statement preceding, which is made a part hereof by reference -- to Tim D. Pene, Durango, 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 transferor and transferee, in writing, have advised the Commission that said certificates have been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this order within thirty (30) days from the effective date of this Order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

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

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

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. Nigro
Ralph C. Horton
Commissioners.

COMMISSIONER RALPH C. HORTON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 20th day of November, 1962.

ea

original

(Decision No. 59641)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
ROBERT J. GAWTHROP, 1220 DEL) PUC NO. 3672
MAR PARKWAY, AURORA, COLORADO.)
-----)

November 20, 1962

S T A T E M E N T

By the Commission:

The Commission has been requested by McLean and McLean, Attorneys for the above-styled certificate-holder, that said certificate-holder be authorized to do business under the firm name and style: "Bob's Clean-Up Service," in the conduct of operations under PUC No. 3672.

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 directed to change the records of the Commission to show PUC No. 3672 to be owned and operated by:

"Robert J. Gawthrop,
doing business as
'Bob's Clean-Up Service,' "

in lieu of:



"Robert J. Gawthrop."

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

COMMISSIONER RALPH C. HORTON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 20th day of November, 1962.
ea



Commissioners.

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RAYMOND A. PIERSON, BOX 76, WELLING-)
TON, COLORADO, FOR A CLASS "B" PERMIT) APPLICATION NO. 19039-PP-Amended
TO OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)
-----)

November 20, 1962

Appearances: O. Rex Wells, Esq., Fort
Collins, Colorado, for
Applicant;
Leslie R. Kehl, Esq., and
Ned Looney, Esq., Denver,
Colorado, for Ward Transport,
Inc., Melton Transport Com-
pany, Petroleum Transport
Company, Ruan Transport Cor-
poration, Consolidated Freight-
ways Corporation of Delaware.

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 crude oil, water for drilling, drilling mud, pipe casing, pipe, rods, winchwork and tubing, to Wellington Pipe Line, three miles north of Wellington, Colorado, from Fort Collins battery #A, Krouse, Fisher, Community, Martinez and Union Pacific; all in Fort Collins, Colorado; also, from the above-named places, back to Wellington Pipe Line; to Wellington Pipe Line, three miles north of Wellington, Colorado, from a well three miles west of Berthoud, Colorado; also, from Wellington Pipe Line, back to the well, three miles west of Berthoud, Colorado; to Tri-Good Corporation, a subsidiary of Fort Collins Producing Corporation, in Sterling, Colorado, from Wellington Pipe Line; also, from Tri-Good Corporation, in Sterling, Colorado, to Wellington Pipe Line; (There may be hauling to or from any of the above-named places, to or from the same); all hauling will be done under Fort Collins Producing Corporation, to or from any of the above-named places.

Said application was regularly set for hearing before the Commission, at the Court House, Fort Collins, Colorado, November 7, 1962, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On November 5, 1962, 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 hearing, applicant herein appeared and testified he was engaged in transportation of crude oil, mud and water for the Fort Collins Producing Corporation, from and to the batteries named in his application, to and from the Wellington pipe line, under a lease arrangement with Petroleum Transport Company; that he would haul for only one customer, viz., Fort Collins Producing Corporation; that he owned two tractors and two trailers; that he has transported for this company the articles and commodities named in his application, under an arrangement whereby he has received the transportation contract from the Fort Collins Producing Corporation, and then entered into agreements with common carriers who had authority from this Commission to perform the required transportation, upon a percentage basis, in which he received ninety per cent of the revenue, and the carrier ten percent; that he had heretofore entered into such agreements with M & M Tank Lines, Colorado, Inc., and Barlow's Service Division of Consolidated Freightways Corporation of Delaware; that he felt that by filing the present application, and if same were granted, he would get all of the revenue.

Everett H. Richman appeared at the hearing and testified he is employed by the Fort Collins Producing Corporation, and was representing them at this hearing; that under a present arrangement,

applicant, Raymond A. Pierson, is engaged in performing transportation service for Fort Collins Producing Corporation under an agreement made by said applicant and Petroleum Transport Company; that his company is billed by Petroleum Transport Company for said service; that the service now being performed by applicant under said agreement is satisfactory, in that applicant is performing the service; that if authority herein sought is granted, Fort Collins Producing Corporation would use applicant's service.

Donald D. Smith, Traffic Manager for Ward Transport, Inc. and Melton Transportation Company, and R. S. Gibson, District Manager for Bulk Commodities for Consolidated Freightways Corporation, appeared and testified that their companies had authority and sufficient equipment to render transportation service sought by applicant herein; that their companies desired the business of Fort Collins Producing Corporation, and that none of the companies maintained any motor vehicle equipment in the Fort Collins district.

Phil Christopherson, of Sterling, Colorado, appeared and testified he is District Manager for Petroleum Transport Company; that his company is now engaged in transporting crude oil for Fort Collins Producing Corporation, under a lease agreement with applicant, wherein applicant receives ninety per cent of the revenue from such haul, and Petroleum Transport Company retains ten per cent.

Witness Christopherson identified settlement sheet between applicant herein and the Petroleum Transport Company. These sheets show that said Petroleum Transport Company is retaining ten per cent of the freight revenue, as a commission, then remitting to applicant herein ninety per cent of the freight revenue, less a charge for payroll taxes, Workmen's Compensation Insurance, and truck insurance.

Findings of the Examiner are that the agreement entered into between applicant and Petroleum Transport Company is contrary to Rule 16 of the Rules and Regulations Governing Common Carriers by Motor Vehicle; that while Petroleum Transport Company's witness felt

that said agreement between applicant and said company was for a lease of motor vehicle equipment, the evidence herein does not bear this out. The Petroleum Transport Company has not, and does not, exercise any control over applicant's operation, and the whole operation is set up as a matter of convenience, so that applicant may provide service for Fort Collins Producing Corporation; that this condition existed was known by the Fort Collins Producing Corporation is borne out in the evidence. Here we have a shipper using a carrier (applicant herein) who has no authority from this Commission. The carrier, with full knowledge of shipper, obtains from a certified carrier, Petroleum Transport Company, protestant herein, permission to operate under its certificate. Here, also, we have an applicant who claims to be the lessee of protestant, Petroleum Transport Company, who wishes, by the instant application, to supplant his lessor.

Said Examiner further finds that Fort Collins Producing Corporation has an adequate service; that, in addition to Petroleum Transport Company, Ward Transport, Inc., and Melton Transportation Company and Consolidated Freightways Corporation, can be, and are, ready to render any service desired by them; that applicant failed to prove any need for his proposed service; that additional service is not needed, as proposed in the instant application.

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 the above-styled application should be denied.

O R D E R

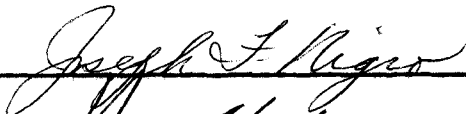
THE COMMISSION ORDERS:

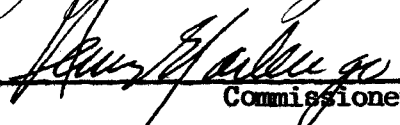
That Report of the Examiner referred to in the above and foregoing Findings be, and the same hereby is, approved.

That Application No. 19039-PP-Amended 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 RALPH C. HORTON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 20th day of November, 1962.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
GUIDO HAASE AND RICHARD E. EGGLESTON,)
DOING BUSINESS AS, "HAASE USED)
APPLIANCE", 5224 WEST 5TH AVENUE,)
DENVER 26, COLORADO.)

PERMIT NO. M-15738

November 21, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Guido Haase and Richard E. Eggleston, dba "Haase Used Appliance", Denver 26, Colorado requesting that Permit No. M-15738 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15738, heretofore issued to Guido Haase and Richard E. Eggleston, dba "Haase Used Appliance", Denver 26, Colorado be, and the same is hereby, declared cancelled effective November 17, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 21st day of November, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
HOT OIL SERVICE COMPANY, INCORPORATED)
P. O. BOX 2077, FARMINGTON, NEW)
MEXICO.)
-----)

PERMIT NO. M-15614

November 21, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Hot Oil Service Company,
Inc., Farmington, New Mexico
requesting that Permit No. M-15614 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15614, heretofore issued to Hot Oil Service Company,
Inc., Farmington, New Mexico be,
and the same is hereby, declared cancelled effective October 1, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 21st day of November, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
GEORGE J. EVANGO, DOING BUSINESS AS,)
"GRAND AVENUE WRECKING YARD", 1751)
GRAND AVENUE, CANON CITY, COLORADO.)
-----)

PERMIT NO. M-4697

November 21, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from George J. Evango,
doing business as, "Grand Avenue Wrecking Yard", Canon City, Colorado
requesting that Permit No. M-4697 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4697, heretofore issued to George J. Evango, doing
business as, "Grand Avenue Wrecking Yard", Canon City, Colorado be,
and the same is hereby, declared cancelled effective November 11, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 21st day of November, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JAMES OLDFIELD, 1660 GENEVA STREET,)
AURORA, COLORADO.)

PERMIT NO. ~~M-11133~~

November 21, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from James Oldfield,
Aurora, Colorado

requesting that Permit No. M-11133 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11133, heretofore issued to James Oldfield,
Aurora, Colorado be,
and the same is hereby, declared cancelled effective November 15, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 21st day of November, 19 62.

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 59647)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
JAMES OLDFIELD, 1660 GENEVA)
STREET, AURORA, COLORADO.)

PERMIT NO. B-6062

November 21, 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-6062 be suspended
one year
for ~~six months~~ from November 15, 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 James Oldfield, Aurora, Colorado

be, and is hereby, authorized to suspend his operations under Permit
No. B-6062 until November 15, 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. Negro
Frank C. Nelson
Wm E. Zuckerman
Commissioners

Dated at Denver, Colorado,
this 21st day of November, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF

ROMAN MONDRAGON, 1529 DENNISON
ROAD, S. W., ALBUQUERQUE, NEW
MEXICO.

PERMIT NO. B-5472

November 29, 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-5472 be further suspended for one year from November 16, 1962.

F I N D I N G STHE COMMISSION FINDS:

That the request should be granted.

O R D E RTHE COMMISSION ORDERS:

That Roman Mondragon, Albuquerque, New Mexico

be, and is hereby, authorized to further suspend his operations under Permit No. B-5472 until November 16, 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
James C. Hodson
Wm. E. Zwick
Commissioners

Dated at Denver, Colorado,
this 29th day of November, 1962.

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 59649)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
ELMORE GIEN AND JOSEPH MC KEE,)
DOING BUSINESS AS, "G AND M)
TRUCKING", 322 MAIN STREET,)
CANON CITY, COLORADO.)

PERMIT NO. B-6235

November 29, 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-6235 be suspended
for six months from November 1, 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 Elmore Gien & Joseph Mc Kee, doing business as, "G & M
Trucking", Canon City, Colorado
be, and is hereby, authorized to suspend their operations under Permit
No. B-6235 until May 1, 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. Negro
Ralph C. Horton
Henry E. Zurling
Commissioners

Dated at Denver, Colorado,
this 29th day of November, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
R. V. MC GUIRE, 75 HAZEL COURT,)
DENVER 19, COLORADO.)

PERMIT NO. B-5502

November 29, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from R. V. Mc Guire,
Denver 19, Colorado
requesting that Permit No. B-5502 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-5502, heretofore issued to R. V. Mc Guire,
Denver 19, Colorado be,
and the same is hereby, declared cancelled effective November 13, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Kung E. Zoung

Dated at Denver, Colorado,
this 29th day of November, 19 62.

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 59651)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
LELAND G. WEBB, 7361 EAST 82ND)
PLACE, DERBY, COLORADO.)
)
)
)

PERMIT NO. B-6185

November 29, 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-6185 be suspended
one year
for ~~suspension~~ from November 4, 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 Leland G. Webb, Derby, Colorado

be, and is hereby, authorized to suspend his operations under Permit
No. B-6185 until November 4, 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 J. Negro
Joseph C. Gordon
Wm. L. Zuckerman
Commissioners

Dated at Denver, Colorado,
this 29th day of November, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
HARRY L. SHANER, (DECEASED), 4575)
ELM COURT, DENVER 21, COLORADO.)
-----)

PERMIT NO. B-3141

November 29, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Harry L. Shaner,
(Deceased), Denver 21, Colorado
requesting that Permit No. B-3141 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-3141, heretofore issued to Harry L. Shaner, (Deceased),
Denver 21, Colorado be,
and the same is hereby, declared cancelled effective September 16, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Samuel C. Horton
Henry E. Zuckerman
Commissioners

Dated at Denver, Colorado,

this 29th day of November, 19 62.

original

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 12TH STREET,)
LINCOLN, NEBRASKA, FOR AUTHORITY TO)
ISSUE UP TO 79,936 SHARES OF ITS)
COMMON STOCK OF THE PAR VALUE OF \$5)
PER SHARE.)

APPLICATION NO. 19439
SECURITIES

November 20, 1962

Appearances: J. W. Preston, Esq., Pueblo,
Colorado, and
Melvin A. Hardies, Esq.,
Chicago, Illinois, 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:

Western Power & Gas Company (Applicant) filed Application No. 19439-Securities with this Commission on October 31, 1962. By such application, Applicant seeks authority of this Commission to issue up to 79,936 shares of its common stock of the par value of \$5 per share in exchange for up to 19,984 shares of the common stock of the par value of \$10 per share of Dixon Home Telephone Company, a New Jersey corporation.

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 2:00 o'clock P. M., on November 19, 1962, in Room 532, State Services Building, Denver, Colorado, and was there heard by the Commission and taken under advisement. No petitions were filed in opposition to the application,

and no one appeared at the hearing opposing the authority sought by the application.

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; 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, Southeastern Telephone Company and Morris Telephone Company. Central Telephone Company in turn owns a majority of the Common Stock of La Crosse Telephone Corporation, 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 Nevada, Minnesota, Iowa, Illinois, Wisconsin, Virginia, North Carolina and Florida.

Dixon Home Telephone Company, a New Jersey corporation, together with its wholly owned subsidiary, Harmon Telephone Company, owns and operates telephone properties in Dixon, Illinois, and certain nearby communities. The territory served is close to areas served by Middle States Telephone Company of Illinois, one of the Applicant's subsidiaries and the properties and operation of Dixon can be readily integrated with those of such subsidiary. At July 31, 1962, the common stock of Dixon (which has only one class of stock) had a book value, based on its balance sheet at that date, of \$36.38 per share, as compared with a book value for the Applicant's common stock, based on its balance sheet as of the same date, of \$10.46 per share. For the twelve months ended July 31, 1962, Dixon's income

statement shows earnings of \$6.29 per common share as compared with \$1.44 per share for the Applicant's common stock as shown on its income statement for the same period. Market prices cannot be compared because there is no active market for Dixon common stock. Based on these and other factors, the Applicant proposes to offer to the holders of Dixon common stock 4 shares of the Applicant's common stock for each share of Dixon common stock. There are a total of 19,984 shares of Dixon common stock outstanding. If all such shares are exchanged for common stock of the Applicant the total number of shares issuable by the Applicant will be 79,936. Under the terms of the exchange offer, the exchange cannot be declared effective unless at least 80% of the Dixon common shares are to be exchanged for shares of common stock of the Applicant. If the exchange is made effective, the Applicant proposes to account for the transaction on a "pooling of interests" concept, under which the Applicant's investment in Dixon will be recorded on the consolidated financial statements of the Applicant and its subsidiaries at the underlying book value of the Dixon shares acquired upon the exchange.

The Applicant will pay no finder's fee or commission to any broker or agent in connection with the proposed exchange. Total expenses to be incurred by the Company are estimated at \$20,000. The making of the proposed offer of exchange is subject to the prior registration under the Securities Act of 1933 of the 79,936 shares to be offered. A copy of the registration statement filed with the Securities and Exchange Commission, as amended by a First Amendment thereto, in the form in which it is expected to become effective, was introduced as an exhibit. Issuance of any of such 79,936 shares is subject to authorization of this Commission and the Nebraska State Railway Commission. A hearing upon an application to the Nebraska State Railway Commission has been held.

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, CRS, 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 the foregoing Statement be, and it hereby is adopted as part of the Findings herein.

That the proposed issue by Western Power & Gas Company of up to 79,936 shares of its common stock of the par value of \$5 per share, for the purposes, on the terms and within the limitations, hereinabove described, is not inconsistent with the public interest; that such issue is permitted by law and is consistent with the provisions of Chapter 115-1-4, CRS 1953; and that the Order sought should be issued and be made effective forthwith.

O R D E R

THE COMMISSION ORDERS:

That the issue by Western Power & Gas Company of up to 79,936 shares of common stock of the par value of \$5 per share, for the purposes, on the terms and within the limitations, hereinabove described, be, and it hereby is, authorized and approved.

That the securities issued hereunder shall bear on the face thereof for proper and easy identification thereof a legend as follows:

C. P. U. C. Identification No. 19439

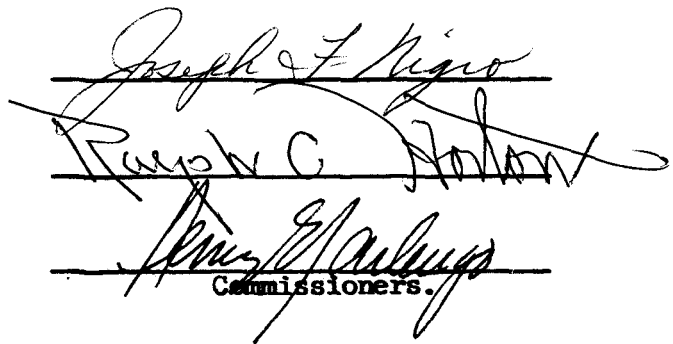
That within ninety (90) days after the initial issuance of shares to be issued in exchange for shares of Dixon Home Telephone Company, Applicant shall file with the Commission a verified report showing the number of shares issued in exchange for shares of Dixon Home Telephone Company and the costs and expenses incurred by the Applicant incident to such exchange. Applicant shall file with such

report a copy of any amended prospectus or supplement to the prospectus as used to make the offer of exchange to the holders of shares of Dixon Home Telephone Company.

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

This Order shall become effective as of the day and date hereof. The authorization hereby granted shall, however, expire if not exercised prior to January 15, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

Dated at Denver, Colorado,
this 20th day of November, 1962.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MOON LAKE ELECTRIC ASSOCIATION, INC.,)
VERNAL, UTAH, TO EXECUTE AND DELIVER)
CERTAIN LOAN CONTRACTS TO THE RURAL)
ELECTRIFICATION ADMINISTRATION.)

APPLICATION NO. 19432
SECURITIES

November 20, 1962

Appearances: Richard Downing, Jr., Esq.,
Denver, Colorado, and
George E. Stewart, Esq.,
Roosevelt, Utah, for
Applicant;
John R. Barry, Esq., Denver,
Colorado, for Western
Colorado Power Company;
J. M. McNulty, Denver, Colo-
rado, and
E. R. Thompson, Denver,
Colorado, for the Commis-
sion.

S T A T E M E N T

By the Commission:

By this application Moon Lake Electric Association, Inc.,
(hereinafter referred to as "Moon Lake"), seeks authority to borrow
from the Rural Electrification Administration \$3,901,012 to be evi-
denced by a mortgage note, REA Project Designation Utah 8AE Duchesne,
in a form essentially similar to that Mortgage Note made by Moon Lake
Electric Association, Inc., to United States of America, dated June
16, 1962, designated as Utah 8AD Duchesne, Exhibit No. 17, approved
in Commission's Order and Decision No. 59106; authority to execute
and deliver to the Rural Electrification Administration such other
loan documents pertaining to said loan designated as Utah 8AE Duchesne;
and authority to use the proceeds therefrom for specified purposes.

The matter was set for hearing after due notice to all in-

terested parties on Friday, November 9, 1962, at ten o'clock A. M., 532 State Services Building, Denver, Colorado, and was there heard by the Commission and taken under advisement.

On November 5, 1962, the Western Colorado Power Company, by its Attorneys, Barry and Boyle, filed with the Commission a Petition for Intervention on this Application No. 19432, Securities. At the hearing, Protestant's Attorney, John R. Barry, appeared and was granted leave to question Applicant's witnesses subject to the rulings of the presiding Commissioner on objections by Applicant's counsel.

Moon Lake is a non-profit corporation engaged in the business of generating, purchasing, transmitting, distributing and selling electricity to its members, users and consumers in the Counties of Rio Blanco, Moffat, and Garfield, Colorado; and the Counties of Duchesne, Uintah, Wasatch and Daggett, Utah. It is a Utah organization organized and existing under and by virtue of the laws of the State of Utah pertaining to non-profit corporations, with its principal place of business at 495 East Main Street, Vernal, Utah. A copy of its Articles of Incorporation, as amended, certified by the Secretary of the State of Utah and by the Secretary of the State of Colorado has heretofore been filed with this Commission; said certified copies of said Articles of Incorporation, as amended, are presently in full force and effect.

On April 19, 1951, upon acquisition of the Rangely Power & Light Company, Moon Lake received a certificate of convenience and necessity from this Commission, Application No. 11041, Decisions Nos. 36530 and 36531; and since that time, it has operated as an electric utility in the State of Colorado. Subsequent to April 19, 1951, Moon Lake Electric Association, Inc., by Application No. 16387, Decision No. 50562, dated July 7, 1958, acquired the distribution system of

Artesia Light and Power Company, and by Application No. 16639, Decision No. 51824, dated March 4, 1959, obtained an area certificate in Colorado. Moon Lake is commonly known as a rural electric cooperative and has from time to time borrowed money to construct or purchase electric facilities to generate, transmit and distribute electrical energy to its members, users and consumers.

The funds to be obtained from the loan designated as Utah 8AE Duchesne will be expended for construction or substations, transmission lines, and distribution lines, and for rehabilitating existing lines to improve and furnish electricity to Moon Lake's members, users and consumers located in Utah and within its certificated service area in Colorado. These construction costs are set forth in detail in a document entitled Cost Estimates and Loan Budget for Electric Borrowers, U.S. Department of Agriculture, Rural Electrification Administration, Utah, 8AE Duchesne, May 1, 1962, over the name of C. H. Guernsey and Company and signed by E. J. Ballard, Jr., Manager, Moon Lake Electric Association, Inc. This document, Exhibit No. 1 of Moon Lake's Application hereof, indicates required funds for construction as follows:

Distribution.	\$ 542,974	
New tie lines	118,496	
Conversion and line changes . .	127,490	
New substations, switching, etc..	223,275	
Increased substation capacity at		
Vernal, Southwest Rangely, Edi-		
son, Talmage, and Bonanza . .	108,000	
Misc. distribution equipment. .	232,665	
Engineering fees.	<u>76,027</u>	
Total distribution.		\$1,428,927
Transmission.	1,330,000	
Line changes and switching at		
Yellowstone, Edison, Rangely		
Power Plant, South Duchesne,		
Red Wash and Bonanza.	357,670	
New substations, switching, etc.		
including right-of-way. . . .	616,325	
Engineering fees.	<u>128,640</u>	
Total transmission.		2,432,635
Automatic control at Yellow-		
stone Hydro		<u>39,450</u>
GRAND TOTAL.		<u><u>\$3,901,012</u></u>

This estimate of construction costs was further supported by Applicant's Exhibit No. 2, Loan Study, Utah SAE Duchesne Loan, dated May 1962, by C. H. Guernsey and Company, which showed the investment required of service to several unelectrified areas, the connection of new consumers to the existing system, additional service capacity for existing consumers and for the required distribution substation capacity to serve them. Also, there were included costs of facilities to supplement the power supply of the system and certain necessary transmission extensions.

Also, in support of Moon Lake's need for the proposed loan of \$3,901,012, Applicant introduced into evidence by reference, Exhibit No. 17 - Mortgage Note, Exhibit No. 29 - Revised Long Range Plan, dated May 1962, by C. H. Guernsey & Company, Exhibit No. 31 - Financial Statements for the year 1961, and Exhibit No. 32 - Long Range Financial Forecast of Moon Lake Electric Association, Inc., by T. F. Howells, Controller, all from the Commission's files of Application No. 19217.

Moon Lake's witness, Mr. Ballard, testified that of the total proposed construction, approximately \$1,093,000 was planned to be expended in the State of Colorado and consists primarily of \$317,194 for extensions in Brown's Park and Echo Park, all in northwest Colorado, \$45,945 for extensions in the Massadona area, \$96,000 in the Rangely area, \$439,175 for substation at the Rangely tie point between the Bureau of Reclamation System and Moon Lake, and \$193,668 for major additions to distribution lines in the Douglas Pass area.

As evidence of Moon Lake's financial condition, Applicant introduced its monthly financial and statistical report for September 30, 1962, Exhibit No. 3. The Balance Sheet as of that date showed total utility plant of \$11,991,851 and depreciation reserve of \$2,162,658, with resulting net utility plant of \$9,829,193, and investment in associated organizations of \$1,235,218, for a grand total

of \$11,064,411 investments. Long term debt stood at \$11,360,000. Total operating revenues for the nine months ending September 1962 were \$1,266,460. Patronage capital and operating margins for this period amounted to \$130,904, and non-operating margins (net loss) were \$38,184, with the resulting net patronage capital and margins of \$92,720.

Mr. Ballard stated that Moon Lake's studies show an estimated load growth of 20% in 1963 over 1962 operations and that these proposed expenditures of approximately \$3,900,000 for increased electric facilities were necessary in order to serve properly the electric consumers within its service area. He stated also that in his opinion Moon Lake would be able to meet all its debt service commitments including those resulting from the proposed borrowing.

For the purpose of determining the amount of the fee for authority to issue the proposed debt, the percent of net plant in Colorado of the net plant investment of Moon Lake's total electric system will be used as a basis applicable to Colorado.

F I N D I N G S

THE COMMISSION FINDS:

That this Commission has jurisdiction of the Moon Lake Electric Association, Inc., as to its properties, facilities and operations located in the State of Colorado.

That the Commission is fully advised in the premises.

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

That the issuance by Moon Lake Electric Association, Inc., of a mortgage note identified as Utah 8AE Duchesne in the principal amount of \$3,901,012, essentially in the same form as the mortgage note made by Moon Lake Electric Association, Inc., to the United States of America, dated June 16, 1962, designated as Utah 8AD Duchesne in the principal amount of \$607,000, should be authorized

and approved.

That within one hundred twenty (120) days after the execution of the mortgage note approved in the Order to follow, Moon Lake Electric Association, Inc., should file with the Commission one conformed executed copy of such note and one conformed copy of such other instruments as may be executed in connection with this borrowing of the \$3,901,012.

That the authorization and approval of the above described debt commitments by Moon Lake Electric Association, Inc., should pertain only to expenditures of borrowed funds within the State of Colorado.

That the use of the borrowed funds by Moon Lake Electric Association, Inc., for the purpose set forth in the foregoing Statement, are not inconsistent with the public interest or with the provisions of law governing such transactions and should be approved.

O R D E R

THE COMMISSION ORDERS:

That the issuance by Moon Lake Electric Association, Inc., of a mortgage note identified as Utah 8AE Duchesne in the principal amount of \$3,901,012 essentially in the same form as the mortgage note made by Moon Lake Electric Association, Inc., to the United States of America, dated June 16, 1962, designated as 8AD Duchesne in the principal amount of \$607,000, be, and the same is hereby authorized and approved.

That within one hundred twenty days (120) after the execution of the mortgage note identified as Utah 8AE Duchesne, principal amount of \$3,901,012, Moon Lake Electric Association, Inc., shall file with this Commission one conformed executed copy of such note and one conformed copy of such other instruments as may be executed in connection with this borrowing.

That the authorization and approval above granted to Moon Lake Electric Association, Inc., shall pertain only to expenditures of borrowed funds within the State of Colorado.

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 this proceeding to the end that it may make such 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. Nigro
Raymond C. Holton
James J. Harlan
Commissioners

Dated at Denver, Colorado,
this 20th day of November, 1962.

mls

original

(Decision No. 59655)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE FAILURE OF)
VARIOUS CORPORATIONS, PARTNER-)
SHIPS, AND/OR PERSONS TO COMPLETE)
APPLICATIONS FOR AUTHORITY TO OP-)
ERATE AS COMMON OR PRIVATE (CON-)
TRACT) CARRIERS FOR HIRE IN INTER-)
STATE COMMERCE BY MOTOR VEHICLE)
OVER THE HIGHWAYS OF THE STATE OF)
COLORADO.)
- - - - -)

- - - - -
November 21, 1962
- - - - -

S T A T E M E N T

By the Commission:

The records of the Commission show that the corporations, partnerships, and/or persons listed in the Order part of this decision have paid to the Commission a filing fee for a Common Carrier Certificate or for a Private (contract) Carrier Permit to operate for hire in interstate commerce over the highways of the State of Colorado.

The records of the Commission further show that said applicants have failed to complete their applications in one or more of the following particulars as required by the Rules and Regulations Governing Common and Private Carriers by Motor Vehicle in Colorado:

- (a) Failure to file completed application.
- (b) Failure to indicate number of power units to be operated.
- (c) Failure to file, or have filed, certificate of insurance.

The records of the Commission further show that all of the applicants listed in the Order part of this decision have been duly notified by the Commission of their failure to comply with one or more of the above provisions.

F I N D I N G S

THE COMMISSION FINDS:

That the Statement should be made a part of these Findings.

That all of said proceedings heretofore instituted by the

corporations, partnerships, and/or persons listed in the Order part of this decision should be dismissed.

O R D E R

THE COMMISSION ORDERS:

That each of the application proceedings heretofore commenced by the following corporations, partnerships, and/or persons before the Commission to obtain authority to operate as a Common or Private (contract) Carrier for hire in interstate commerce be, and the same hereby are, dismissed:

LeRoy Beach	406 E. Main	Hamilton, Tex.
Harold L. Christopher	3804 Boston Rd.,	Bronx, 69, N. Y.
John W. Davis	4010 Idalou Rd.	Lubbock, Tex.
Walter E. Davis	10420 E. Klingerman	El Monte, Calif.
Fireball Trucking	125 Douglas St.,	Sterling, Colo.
Fisher Produce	207 W. 1st	McCook, Nebr.
Elmo Forrest		Woodson, Tex.
H & A Truck Line	1924 W. Lake	Ft. Collins, Colo.
Willis Henderson	Rt 2	Garnett, Kans.
Robert J. Huffman	208 Park St.,	Sterling, Colo.
Walter H. Jeacer	1118 Knight	Miles City, Mont.
Rufus L. Loftice	1 mi. So. on Hwy. 71	Rocky Ford, Colo.
Lyons Grain Co.		Lyons, Nebr.
A. F. Murch Co.,	P.O. Box 228	Paw Paw, Mich.
Pak-Tite Inc.	6110 Bienvenue St.,	New Orleans, La.
Henry T. Powell & Flora Morehead	7020 E. 52nd Pl.,	Denver 16, Colo.
S & S Trucking Co.	P.O. Box 1392	Statesville, N. C.
Bob Schmid	915 N. Albart	St. Paul, Minn.
B. F. Stovall Trkg. Co.	Box 325	Minco, Okla.
Temple Milling Co.		Temple, Okla.
Travel Wright Leasing Co.	Linworth Rd. & Rte 161,	Worthington, Ohio
Tri-County Produce & Grain Co.	P. O. Box 235	Evant, Tex.
Oren Eugene Turner	Rt. 1 Box 106	Durango, Colo.
Lou Tyrrel Trkg. Co.		Chase, Kans.
Albert P. Vineyard		Bridgetown, N. J.
John Werner		Pittsburg, Nebr.
C. H. White	307 E. Alameda	Iowa Park, Tex.

This Order shall become effective ten days from the date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph I. Nigro
Ralph C. Noland
James E. Phillips
Commissioners

Dated at Denver, Colorado,
this 21st day of November, 1962.

ea

original

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 AUTHORITY TO TRANSFER)
PUC NO. 1305 AND PUC NO. 1305-I TO)
BESSEMER BUS CORPORATION, 515 SOUTH)
CASCADE AVENUE, COLORADO SPRINGS,)
COLORADO.)
-----)

APPLICATION NO. 19425-Transfer

November 21, 1962

Appearances: Alvin J. Meiklejohn, Jr., Esq.,
Denver, Colorado, for
Transferor;
Louis Johnson, Esq., Colorado
Springs, Colorado, for
Transferee;
John R. Barry, Esq., Denver,
Colorado, for Denver-Colorado-
Springs-Pueblo Motor Way, Inc.;
William A. Baker, Esq., Colo-
rado Springs, Colorado, for
Broadmoor Hotel, Inc., Yellow
Cab Company of Colorado Springs,
and Pikes Peak Automobile Co.,
as their interest may appear.

STATEMENT AND FINDINGS OF FACT

By the Commission:

James F. Donahue, doing business as "Air Lines Cab Service,"
Colorado Springs, Colorado, is the owner and operator of PUC No. 1305
and PUC No. 1305-I, authorizing:

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.

Decision No. 38298 authorizes: The use of six
(6) automobiles, (to-wit, four five-passenger
and two eight-passenger automobiles) rather than
two automobiles, as presently authorized, for the
conduct of the operations under PUC 1305.

Decisions No. 57847: Extended to include scheduled passenger service 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, Colorado, limited to the use of six eight-passenger automobiles.

Interstate authority issued July 3, 1953: Between all points within a radius of 75 miles of Colorado Springs, Colorado, in interstate commerce, only, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended,

and by the instant application, seeks to transfer said PUC No. 1305 and PUC No. 1305-I to Bessemer Bus Corporation, Colorado Springs, Colorado.

The application was set for hearing on November 13, 1962, at ten o'clock A. M., in the County Office Building, Colorado Springs, 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, the matter was taken under advisement, and 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 files and the written statement of the Examiner, states and finds:

That no evidence was adduced in opposition to the granting of the proposed transfer.

That the transferee corporation has sufficient equipment, personnel and operating experience, and is financially able to render and continue operations under said certificates; that the consideration for the transfer is \$25,000.

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

O R D E R

THE COMMISSION ORDERS:

That James F. Donahue, doing business as "Air Line Cab Service," Colorado Springs, Colorado, be, and hereby is, authorized to

transfer all his right, title, and interest in and to PUC No. 1305 and PUC No. 1305-I -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Bessemer Bus Corporation, Colorado Springs, 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 transferor and transferee, in writing, have advised the Commission that said certificates have been formally assigned and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of the Order shall automatically revoke the authority herein granted to make the transfer, without further Order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

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

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

That interstate operating rights herein transferred shall be 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
Wm. C. Hobart
Wm. G. Harless
Commissioners.

Dated at Denver, Colorado,
this 21st day of November, 1962.
ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
IVAN MILLER AND DWIGHT MILLER, DOING
BUSINESS AS "MILLER BROS. TRUCK
LINE," 619 SIXTH AVENUE, GREELEY,
COLORADO, FOR AUTHORITY TO TRANSFER
PUC NO. 1321 AND PUC NO. 1321-I TO
MILLER BROS., INC., 619 SIXTH
AVENUE, GREELEY, COLORADO.

APPLICATION NO. 19412-Transfer

IN THE MATTER OF THE APPLICATION OF
IVAN MILLER AND DWIGHT MILLER, DOING
BUSINESS AS "MILLER BROS. TRUCK
LINE," 619 SIXTH AVENUE, GREELEY,
COLORADO, FOR AUTHORITY TO TRANSFER
PUC NO. 2251 TO MILLER BROS., INC.,
619 SIXTH AVENUE, GREELEY, COLORADO.

APPLICATION NO. 19413-Transfer

IN THE MATTER OF THE APPLICATION OF
IVAN MILLER AND DWIGHT MILLER, DOING
BUSINESS AS "MILLER BROS. TRUCK
LINE," 619 SIXTH AVENUE, GREELEY,
COLORADO, FOR AUTHORITY TO TRANSFER
PERMIT NO. A-445 TO MILLER BROS.,
INC., 619 SIXTH AVENUE, GREELEY,
COLORADO.

APPLICATION NO. 19414-PP-Transfer

IN THE MATTER OF THE APPLICATION OF
IVAN MILLER AND DWIGHT MILLER, DOING
BUSINESS AS "MILLER BROS. TRUCK
LINE," 619 SIXTH AVENUE, GREELEY,
COLORADO, FOR AUTHORITY TO TRANSFER
PERMIT NO. B-1957 TO MILLER BROS.,
INC., 619 SIXTH AVENUE, GREELEY,
COLORADO.

APPLICATION NO. 19415-PP-Transfer

November 21, 1962

Appearances: Ivan Miller, Greeley, Colo-
rado, for Transferors and
Transferee.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Ivan Miller and Dwight Miller, doing business as "Miller
Bros. Truck Line," Greeley, Colorado, are the owners and operators of
PUC No. 1321, PUC No. 1321-I, PUC No. 2251, Permit No. A-445, and
Permit No. B-1957, authorizing:

PUC No. 1321 and PUC No. 1321-I:

Conduct of a general cartage business in Estes Park, Colorado, and the transportation of commodities, generally, between points within a 15-mile radius of Estes Park, Colorado; transportation of commodities, except household goods, from and to points within the described Estes Park area, to and from points outside thereof, excluding and excepting, however, transportation of any commodities between Denver and Estes Park and intermediate points, and between Fort Collins or La Porte (Boettcher), and Estes Park, and intermediate points; transportation of milk from farms in Boulder and Jefferson Counties and that part of Adams County lying west of Buckley Field, to Estes Park, for the purpose of processing and bottling, including the right to transport milk from Estes Park to Buckley Field, excluding the right to transport liquid petroleum products in bulk by tank trucks;

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

That all duplication or overlapping authority under Permit No. A-500, PUC No. 1321 and PUC No. 1321-I, and/or PUC No. 2251, with authority presently owned and operated by transferees herein, viz., Permit Nos. B-1957 and A-445, is hereby deleted from said operating rights herein authorized to be transferred; that a Supplemental Order be entered by the Commission describing the resulting area.

PUC No. 2251:

Transportation of freight over the following routes:

- (1) Denver to Estes Park via Longmont, Lyons, and either North or South St. Vrain, and return;
- (2) Boulder to Estes Park via Lyons, and either North or South St. Vrain, and return;
- (3) Loveland to Estes Park and return;
- (4) Fort Collins to Estes Park, and return;
- (5) Greeley to Estes Park via Loveland, and return;
- (6) Estes Park to Drake via North Big Thompson, and return;
- (7) Estes Park to Grand Lake, and return;
- (8) Estes Park to Horseshoe Park to Moraine Park, Glacier Basin, Bear Lake, YMCA Conference Camp; to Estes Park, in either direction;
- (9) Grand Lake to Granby, and return;
- (10) Boettcher to Estes Park (sacked cement, only);

That all duplication or overlapping authority under Permit No. A-500, PUC No. 1321 & I, and/or PUC No. 2251, with authority presently owned and operated by transferees herein, viz., Permits Nos. B-1957 and A-445, is hereby deleted from said operating rights herein authorized to be transferred; that a Supplemental Order be entered by the Commission describing the resulting area.

Permit No. A-445:

Freight, Denver to Fort Collins and intermediate points, and Denver to Nunn and intermediate points.

Transportation of the same commodities as presently authorized, from Ault to Fort Collins and return, via Colo. 14; Greeley to Loveland and return via US 34; Greeley to Fort Collins and return via US 34 and Colo. 259 north to Colo. 14; Greeley to Longmont and return, via US 34 & 87, with the right to run alternate routes between Denver, Greeley, and Fort Collins, and Denver, Fort Collins and Greeley and intermediate points, including the off-route points of Pierce and Nunn, Colorado.

That all duplication or overlapping authority under Permit No. A-500, PUC 1321 & I, and/or PUC 2251 with authority presently owned and operated by transferees herein, viz., Permits Nos. B-1957 and A-445, is hereby deleted from said operating rights herein authorized to be transferred, Supplemental Order to be entered by the Commission describing the resulting area.

Transportation of: (1) Commodities now authorized under Permit No. A-445, from and to points in a five-mile radius of Denver when shipments shall originate and terminate on the present line of said Miller Bros. Truck Line; (2) Commodities now authorized under Permit No. A-445, from and to points in a two-mile radius of Fort Collins, and the S. C. Iverson Dairy, located 3 miles northwest of Fort Collins, when shipments originate and terminate on the present line of said Miller Bros. Truck Line; (3) Commodities now authorized under Permit No. A-445, from and to points in a two-mile radius of Greeley and the Ennis Dairy, located $3\frac{1}{2}$ miles outside Greeley, and the Goldsmith and Lowell Paul Dairies, located three miles outside Greeley, when such shipments originate or terminate on the present line of said Miller Bros. Truck Line; (4) Commodities now authorized under Permit No. A-445, from and to the above-described area;

That all of the above transportation shall be limited to customers with whom said Miller Bros. Truck Line shall have transportation contracts.

Transportation of general freight, to serve City of Fort Collins and City of Greeley water filter plants, located approximately fourteen miles northwest of Fort Collins, Colorado; (Route to be used: Highway No. 287 to junction of said Highway and Highway No. 14; Highway No. 14 to the filter plant).

Permit No. B-1957:

Transportation of farm products, excluding livestock, and including farm supplies, but excluding farm machinery and household goods, from point to point within a radius of twenty-five miles of Greeley, without the right to transport freight into or out of the towns of LaSalle, Windsor, and Fort Lupton.

That all duplication or overlapping authority under Permit No. A-500, PUC 1321 & I, and/or PUC 2251, with authority presently owned and operated by transferees herein, viz., Permits Nos. B-1957 and A-445, is hereby deleted from said operating rights herein authorized to be transferred, a Supplemental Order to be entered by the Commission describing the resulting area.

By the instant application transferors seek authority to transfer said PUC No. 1321, PUC No. 1321-I, PUC No. 2251, Permit No. A-445 and Permit No. B-1957, to Miller Bros., Inc., Greeley, Colorado.

The applications were set for hearing on November 2, 1962, at 9:30 o'clock A. M., in the Court House, Greeley, Colorado. The same were then and there heard by an Examiner duly designated and to whom the hearings were assigned by the Commission. After the conclusion of the hearings, the matters were taken under advisement, and said Examiner transmitted to the Commission the records and exhibits of said proceedings, together with a written statement of his findings of fact and conclusion.

The Commission having considered the records and files and the written statement of the Examiner, states and finds:

That at the commencement of the hearings a motion was duly made that the above-entitled matters be consolidated for hearing, and there being no protests, the motion was granted, and the applications were consolidated and heard on a joint record.

That the transferee corporation has ample and suitable equipment, sufficient personnel and operating experience, and is financially able to render and continue operations; that the reason for the proposed transfers is to achieve operating economy and potential tax savings; that the consideration for the transfers is all the capital stock of the transferee corporation; that the Articles of Incorporation of the transferee corporation are on file with 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 Ivan Miller and Dwight Miller, doing business as Miller Bros. Truck Line," Greeley, Colorado, be, and hereby are, authorized to transfer all their right, title and interest in and to PUC No. 1321, PUC No. 1321-I, PUC No. 2251, Permit No. A-445, and Permit No. B-1957 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Miller Bros., Inc., Greeley, Colorado, subject to payment of outstanding indebtedness against said operations, if any there be, whether secured or unsecured.

That said transfers shall become effective only if and when, but not before, said transferors and transferee, in writing, have advised the Commission that said certificates and permits have been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of this Order shall automatically revoke the authority herein granted to make the transfers, 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 and permits up to the time of transfer of said certificates and permits.

This Order is made a part of the permits (A-445 and B-1957) authorized to be transferred.

That interstate operating rights herein transferred shall
be subject to the Federal Motor Carrier Act of 1935, as amended.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
George C. Hinton
Henry E. Hurlburt
Commissioners.

Dated at Denver, Colorado,
this 21st day of November, 1962.

ea

IN THE MATTER OF THE APPLICATION OF)	
EASTERN COLORADO UTILITY CO., EADS,)	
COLORADO, FOR AN ORDER AUTHORIZING)	APPLICATION NO. 19119
IT TO ISSUE SECURITY AND CREATE)	Securities
LIENS ON ITS PROPERTY.)	AMENDED

S T A T E M E N T

By the Commission:

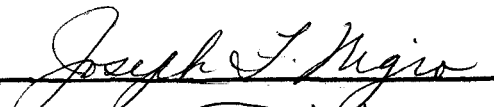
Upon consideration of the application of Eastern Colorado Utility Co., a corporation, in the above styled matter:


O R D E R


THE COMMISSION ORDERS:

That a public hearing be held, commencing on December 3, 1962, at 2:30 o'clock P. 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 November 27, 1962, 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







Commissioners

Dated at Denver, Colorado,
this 20th day of November, 1962.

IN THE MATTER OF THE PETITION OF)
WESTERN POWER & GAS COMPANY, A)
CORPORATION, 115 WEST SECOND STREET,)
PUEBLO, COLORADO, FOR AUTHORITY TO)
ISSUE AND SELL \$4,050,000 AGGREGATE)
PRINCIPAL AMOUNT OF FIRST MORTGAGE)
BONDS)

APPLICATION NO. 19460
Securities

S T A T E M E N T

By the Commission:


Upon consideration of the application of Western
Power & Gas Company, a corporation, in the above styled matter:

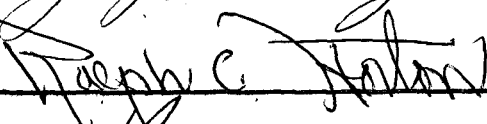
O R D E R

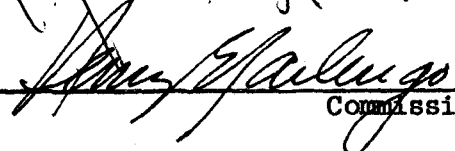
THE COMMISSION ORDERS:

That a public hearing be held, commencing on
December 3, 1962, at 2:00 o'clock P. M., 532 State Services Build-
ing, 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 November 27, 1962, and should set forth the grounds of the
proposed intervention and the position and interest of the peti-
tioners, in the proceeding and must be subscribed by interveners.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners

Dated at Denver, Colorado,
this 20th day of November, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MOTORS CORPORATION, 1915 ROCK ISLAND)
STREET, DALLAS 7, TEXAS.)
)
)
)
-----)

PERMIT NO. M-11176

November 29, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Motors Corporation,
Dallas 7, Texas
requesting that Permit No. M-11176 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11176, heretofore issued to Motors Corporation,
Dallas 7, Texas be,
and the same is hereby, declared cancelled effective November 1, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 29th day of November, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LUCIAN TE BOCKHORST, DOING BUSINESS)
AS, "HAYDEN MERCANTILE COMPANY",)
P. O. BOX 285, HAYDEN, COLORADO.)
-----)

PERMIT NO. M-11897

November 29, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Lucian Te Bockhorst,
doing business as, "Hayden Mercantile Company", Hayden, Colorado
requesting that Permit No. M-11897 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11897, heretofore issued to Lucian Te Bockhorst,
doing business as, "Hayden Mercantile Company", Hayden, Colorado be,
and the same is hereby, declared cancelled effective November 21, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 29th day of November, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
RICHARD IRELAND, 106 WEST 12TH STREET)
LOVELAND, COLORADO.)
)
)
-----)

PERMIT NO. M-15127

November 29, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Richard Ireland,
Loveland, Colorado
requesting that Permit No. M-15127 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15127, heretofore issued to Richard Ireland,
Loveland, Colorado be,
and the same is hereby, declared cancelled effective October 27, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Ashton
Commissioners

Dated at Denver, Colorado,

this 29th day of November, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
HENRY D. WIEDEN, DOING BUSINESS AS,)
"HANK'S SERVICE AND REPAIR", 2207)
LA PORTE, FORT COLLINS, COLORADO.)
-----)

PERMIT NO. M-14623

November 29, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Henry D. Wieden, doing business as, "Hank's Service and Repair", Fort Collins, Colorado requesting that Permit No. M-14623 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14623, heretofore issued to Henry D. Wieden, doing business as, "Hank's Service and Repair", Fort Collins, Colorado be, and the same is hereby, declared cancelled effective October 18, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Hobart
Commissioners

Dated at Denver, Colorado,

this 29th day of November, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
HOWARD W. JACKSON, DOING BUSINESS AS,)
"DERBY FEED AND SUPPLY COMPANY",)
7155 NEWPORT STREET, DERBY, COLORADO.)
-----)

PERMIT NO. M-13481

November 29, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Howard W. Jackson, doing business as, "Derby Feed & Supply Company", Derby, Colorado requesting that Permit No. M-13481 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13481, heretofore issued to Howard W. Jackson, doing business as, "Derby Feed & Supply Company", Derby, Colorado be, and the same is hereby, declared cancelled effective November 9, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 29th day of November, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
HAROLD L. ZECH AND H. C. ZECH, DOING)
BUSINESS AS, "STANDARD IMPLEMENT)
COMPANY", 4810 VASQUES BOULEVARD,)
DENVER 16, COLORADO.)
-----)

PERMIT NO. M-2985

November 29, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Harold L. Zech and H. C. Zech, doing business as, "Standard Implement Company", Denver 16, Colorado requesting that Permit No. M-2985 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2985, heretofore issued to Harold L. Zech and H. C. Zech, doing business as, "Standard Implement Company", Denver 16, Colorado be, and the same is hereby, declared cancelled effective August 15, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Hobart
Wm. E. Zullinger
Commissioners

Dated at Denver, Colorado,

this 29th day of November, 19 62.

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 59666)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
JAMES AVERITT, 526 LIPAN STREET,)
DENVER 4, COLORADO.)

PERMIT NO. B-3185

November 29, 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-3185 be suspended
for six months from November 28, 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 James Averitt, Denver 4, Colorado

be, and is hereby, authorized to suspend his operations under Permit
No. B-3185 until May 28, 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. Negro
Frank C. Johnston
Henry E. Zurlings
Commissioners

Dated at Denver, Colorado,
this 29th day of November, 19 62.

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 59667)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
ARNOLD TRUCK LINES, INCORPORATED,
KIOWA, COLORADO.)

PERMIT NO. B-4476 & I

November 29, 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-4476 & I be suspended
for six months from November 1, 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 Arnold Truck Lines, Inc., Kiowa, Colorado

be, and is hereby, authorized to suspend their operations under Permit
No. B-4476 & I until May 1, 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. Negro
Joseph C. Johnson
Commissioners

Dated at Denver, Colorado,
this 29th day of November, 19 62.

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 59668)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
DURWARD E. WALKER, 5991 GLENCOE)
STREET, DENVER 16, COLORADO.)
)
)
)

PERMIT NO. B-5283

November 29, 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-5283 be suspended
one year
for ~~six months~~ from November 15, 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 Durward E. Walker, Denver 16, Colorado

be, and is hereby, authorized to suspend his operations under Permit
No. B-5283 until November 15, 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. Negro
Ralph C. Johnson
Henry E. Zuluaga
Commissioners

Dated at Denver, Colorado,
this 29th day of November, 19 62.

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 59669)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
L. E. MC CONNELL, DOING BUSINESS)
AS, "ROGERS MESA MOTORS",)
HOTCHKISS, COLORADO.)

PERMIT NO. B-5409

November 29, 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-5409 be suspended
one year
for ~~six months~~ from November 1, 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 L. E. Mc Connell, doing business as, "Rogers Mesa Motors",
Hotchkiss, Colorado
be, and is hereby, authorized to suspend his operations under Permit
No. B-5409 until November 1, 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. Negro
Raymond C. Norton
Henry E. Zuberger
Commissioners

Dated at Denver, Colorado,
this 29th day of November, 1962.

my copy

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MAURICE P. HERMES)
P.O. Box 87)
Yoakum, Texas)
-----)

AUTHORITY NO. M 13216
CASE NO. 10318 Ins.

November 23, 1962

S T A T E M E N T

By the Commission:

On November 15, 1962, 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. [unclear]
Wm. E. [unclear]
Commissioners

Dated at Denver, Colorado,
this 23rd day of November, 1962

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
V-Y TRUCK LINE, INC., P. O. BOX 43,)
CROOK, COLORADO, FOR AUTHORITY TO) APPLICATION NO. 19382-PP-Extension
EXTEND OPERATIONS UNDER PERMITS NOS.)
B-1492 AND B-1492-I.)

November 23, 1962

Appearances: John P. Thompson, Esq., Den-
ver, Colorado, for Appli-
cant;
Melvin Diner, Esq., Greeley,
Colorado, for Livestock
Transport, Inc., and Yockey
Trucking Co., Inc.;
Francis W. Jamison, Esq., Den-
ver, Colorado, for Lester E.
Smith and William Blanken-
beckler.

STATEMENT AND FINDINGS OF FACT

By the Commission:

V-Y Truck Line, Inc., Crook, Colorado, is the owner and
operator of Permits Nos. B-1492 and B-1492-I, authorizing:

transportation of livestock only, from point
to point within a radius of fifteen miles of
Sterling, Colorado, and from ranches and
farms in said area, to sales yards at Jules-
burg, Holyoke, Fort Morgan, and Denver, with
no back-haul of anything other than livestock
from Denver, only;

between all points in Colorado and the Colo-
rado State Boundary Lines, where all highways
cross same, in interstate commerce, only, sub-
ject to the provisions of the Federal Motor
Carrier Act of 1935, as amended,

and by the instant application seeks authority to extend operations
under said Permits Nos. B-1492 and B-1492-I to include the right to
transport livestock, only, from point to point within a radius of
twenty-five miles of Sterling, Colorado, and from ranches and farms
in said area, to Greeley, Brush, Pueblo, and Denver, Colorado, with

no back-haul of anything other than livestock from Denver, only.

The application was set for hearing on October 17, 1962, at ten o'clock A. M., in the Court House, Fort Morgan, 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 there is a need for the proposed transportation services and the applicant will have sufficient equipment and experience to properly carry on the proposed transportation services and the applicant's financial standing is established to the satisfaction of the Commission.

That the evidence presented in opposition to the granting of the application is too general, indefinite, and uncertain for the Commission to be of the opinion that the proposed operation as hereinafter authorized will impair the efficient public service of any authorized motor vehicle common carrier or carriers adequately serving the same territory over the same general highway route or routes.

That granting the authority will be in the public interest and the application should be granted as provided in the following Order.

O R D E R

THE COMMISSION ORDERS:

That V-Y Truck Line, Inc., Crook, Colorado, be, and hereby is, authorized to extend operations under Permits Nos. B-1492 and B-1492-I to include the transportation of livestock, only, from point to point within a radius of 25 miles of Sterling, Colorado, and from said area, to Greeley, Brush, Pueblo, and Denver, with no back-haul

of anything other than livestock from Denver, only, and this Order is the authorization therefor.

This Order is made a part of the permit granted to applicant.

That interstate authority herein granted shall be 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. Nigro
Frederic J. Anderson
Henry E. Paulings
Commissioners.

Dated at Denver, Colorado,
this 23rd day of November, 1962.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ALBERT D. FRY, DOING BUSINESS AS)
"FRY'S TRUCK LINE," ROUTE 1, BOX 103,)
LA SALLE, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)
- - - - -

APPLICATION NO. 19411-PP

- - - - -
November 23, 1962
- - - - -

Appearances: Albert D. Fry, LaSalle,
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the instant application, the applicant seeks authority to engage in the transportation of milk (Grade C), in cans, only, from points within a radius of twenty-five miles of Greeley, Colorado, to Ft. Collins, Colorado, and a radius of three miles thereof, with back-haul of empty cans.

The application was set for hearing on November 2, 1962, at 9:30 o'clock A. M., in the Court House, Greeley, 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, the matter was taken under advisement, and 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 files and the written statement of the Examiner states and finds:

That no one protests the granting of the application.

That there is a need for the proposed transportation ser-

vices; that the applicant will have sufficient equipment and experience to properly carry on the proposed operation; and, that the applicant's financial standing is established to the satisfaction of the Commission.

That granting the authority as provided in the following Order will be in the public interest and such authority should be granted.

O R D E R

THE COMMISSION ORDERS:

That Albert D. Fry, doing business as "Fry's Truck Line," LaSalle, Colorado, be, and hereby is, granted authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of milk (Grade C), in cans, only, from points within a radius of twenty-five miles of Greeley, Colorado, to Ft. Collins, Colorado, and a radius of three miles thereof, with back-haul of empty cans, and this Order is a permit therefor.

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.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Hutton
Emilio J. Salgado
Commissioners.

Dated at Denver, Colorado,
this 23rd day of November, 1962.
mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
NORTHERN ARMORED SERVICE, INC., 2425)
25TH STREET, GREELEY, COLORADO, FOR)
A CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)
- - - - -

APPLICATION NO. 19419-PP

- - - - -
November 23, 1962
- - - - -

Appearances: Melvin Dinner, Esq.,
Greeley, Colorado,
for Applicant;
James D. Wittaker, Esq.,
Denver, Colorado, for
Bethke Truck Lines.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the instant application, the applicant seeks authority to engage in the transportation of money, currency, coins, bullion, gold, silver, platinum, jewelry, furs, legal tender, bonds, negotiable instruments, and all other kinds of valuable documents, articles, or property, to and from, between and within points in Weld County, Colorado, to and from, between and within a radius of forty miles of the City of Greeley, Colorado.

The application was set for hearing on November 2, 1962, at 9:30 o'clock A. M., in the Court House, Greeley, 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, the matter was taken under advisement, and 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 files, and the written statement of the Examiner, states and finds:

That at the commencement of the hearing the applicant moved to amend the commodity portion or section of his application in the following manner:

"transportation of money, currency, coins, bullion, gold, silver, platinum, jewelry, furs, legal tender, bonds, negotiable instruments, and all other like kinds of valuable documents, articles, or property . . ."

That in view of said amendment, which was restrictive in nature, protestant herein withdrew its protest to the granting of the application as amended.

That there is a need for the proposed transportation services; that the applicant will have sufficient equipment and experience to properly carry on the proposed operations; and, that the applicant's financial standing is established to the satisfaction of the Commission.

That granting the authority as provided in the following Order will be in the public interest, and such authority should be granted.

O R D E R

THE COMMISSION ORDERS:

That Northern Armored Service, Inc., Greeley, Colorado, be, and hereby is, granted authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of money, currency, coins, bullion, gold, silver, platinum, jewelry, furs, legal tender, bonds, negotiable instruments, and all other like kinds of valuable documents, articles, or property, to and from, between and within points in Weld County, Colorado, to and from, between and within a radius of forty miles of the City of Greeley, Colorado, and this Order is a permit therefor.

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 L. Nigro
Harold C. Starn
Samuel E. Halliday
Commissioners.

Dated at Denver, Colorado,
this 23rd day of November, 1962.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JOHN W. BRENING, DOING BUSINESS AS)
"GROVER TRUCK LINE," BOX 56, GROVER,)
COLORADO, FOR AUTHORITY TO TRANSFER)
PUC NO. 381 TO ARTHUR L. HILZER,)
DOING BUSINESS AS "GROVER TRUCK LINE,")
BOX 27, GROVER, COLORADO.)
-----)

APPLICATION NO. 19416-Transfer

IN THE MATTER OF THE APPLICATION OF)
JOHN W. BRENING, DOING BUSINESS AS)
"GROVER TRUCK LINE," BOX 56, GROVER,)
COLORADO, FOR AUTHORITY TO TRANSFER)
PUC NO. 408 TO ARTHUR L. HILZER,)
DOING BUSINESS AS "GROVER TRUCK LINE,")
BOX 27, GROVER, COLORADO.)
-----)

APPLICATION NO. 19417-Transfer

IN THE MATTER OF THE APPLICATION OF)
JOHN W. BRENING, DOING BUSINESS AS)
"GROVER TRUCK LINE," BOX 56, GROVER,)
COLORADO, FOR AUTHORITY TO TRANSFER)
PUC NO. 1782 AND PUC NO. 1782-I TO)
ARTHUR L. HILZER, DOING BUSINESS AS)
"GROVER TRUCK LINE," BOX 27, GROVER,)
COLORADO.)
-----)

APPLICATION NO. 19418-Transfer

November 23, 1962

Appearances: John W. Brening, Grover,
Colorado, for Transferor
and Transferee.

STATEMENT AND FINDINGS OF FACT

By the Commission:

John W. Brening, doing business as "Grover Truck Line,"
Grover, Colorado, is the owner and operator of PUC No. 381, PUC
No. 408, PUC No. 1782 and PUC No. 1782-I, authorizing:

PUC No. 381:

Transportation of livestock only to Denver and
all freight from point to point within the
territory commencing at a point on the State
Line coinciding with the northeast corner of
Section 21, T. 12 N., R. 60 W., and thence
south along Section Line a distance of 9 miles
to the southeast corner of Section 33, T. 11 N.,
R. 60 W.; thence west along the Section Line a
distance of 32 miles to the southwest corner
of Section 33, T. 11 N., R. 65 W.; thence north
along the section line a distance of 9 miles to

a point on the State Line coinciding with the northwest corner of Section 21, T. 12 N., R. 65 W.; thence east along the State Line a distance of 32 miles to the point of beginning;

transportation of all commodities between points within, into, and out of, the area described above;

transportation of general commodities, on call and demand, between points in the following area: beginning at the intersection of Colorado Highway 14 and Colorado Highway 155; thence along Highway 14 to New Raymer; thence along unnumbered highway north to the Colorado-Nebraska State Line; thence west along the Colorado-Nebraska State Line and Colorado-Wyoming State Line a distance of 40 miles; thence south 17 miles; thence east to Colorado Highway 155; thence along Highway 155 to the point of beginning, and to and from points in said area, to and from points in the State of Colorado; without the right to haul commodities ordinarily transported by motor vehicle carriers operating over regular routes on schedule between towns served by them.

PUC No. 408:

Transportation of (1) grain from the farms situated in Weld County north of the line separating Townships 9 and 10-North, to Grover, and other railroad points situated within said area; (2) livestock in less-than-carload lots from points in said territory to Denver; (3) machinery and machinery repair parts from Denver direct to the farms in said territory, and (4) freight, generally, from Grover to farms in said territory.

PUC No. 1782 and PUC No. 1782-I:

Transportation of general commodities between points in the following area: Beginning at the intersection of Colorado Highway 14 and Colorado Highway 155; thence along Colorado Highway 14 to New Raymer; thence along unnumbered highways north to the Colorado-Nebraska State Line; thence along Colorado-Nebraska, Colorado-Wyoming State Line a distance of 40 miles; thence south 17 miles; thence east to Colorado Highway 155; thence along Colorado Highway 155 to the point of beginning, and to and from points in said area, to and from points in the State of Colorado; restricted against the transportation of household goods, except when moving in connection with emigrant moveables, defined as follows: "Emigrant Moveables," applies only to mixed shipments from farm to farm, farm to town, or town to farm, consisting of second-hand (used) household goods or personal effects, such as clothing, furniture, or furnishings for residences, together with one or more of the following articles, which articles must constitute at least 25% of the total weight of the shipment: tools or other hand implements of calling; second-hand (used) articles, viz., agricultural implements, hand or other than hand; harness; one motorcycle, tractor engines, vehicles (other than motor vehicles, coaches, hearses, or similar vehicles);

one KD portable house, grain, seed, shrubbery, or trees suitable for planting; feed sufficient for livestock or poultry while in transit; fence posts, wire fencing, lumber, or shingles; live poultry; ordinary livestock;" also restricted against transportation between towns in competition with scheduled line-haul carriers;

between all points in the State of Colorado and the Colorado State Boundary Lines where all highways cross same, in interstate commerce, only, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended,

and by the instant applications seeks authority to transfer said PUC No. 381, PUC No. 408, PUC No. 1782 and PUC No. 1782-I to Arthur L. Hilzer, doing business as "Grover Truck Line," Grover, Colorado.

The applications were set for hearing on November 2, 1962, at 9:30 o'clock A. M., in the Court House, Greeley, Colorado. The same were 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, the matter was taken under advisement, and said Examiner transmitted to the Commission the records and exhibits of said proceedings, together with a written statement of his findings of fact and conclusion.

The Commission having considered the records and files and the written statement of the Examiner, states and finds:

That at the commencement of the hearing a motion was duly made that the above-entitled matters be consolidated for hearing, and there being no protest thereto, the motion was granted, and the applications were consolidated and heard on a joint record.

That no one protests the granting of the proposed transfers.

That the transferee is a fit and proper person, has sufficient equipment and is financially able to render and continue operations under said certificates; that the consideration for the transfers of said certificates, including the entire business, is \$13,000.

That the proposed transfers are in the public interest and should be authorized, subject to outstanding indebtedness, if any.

O R D E R

THE COMMISSION ORDERS:

That John W. Brening, doing business as "Grover Truck Line," Grover, Colorado, be, and hereby is, authorized to transfer all his right, title and interest in and to PUC No. 381, PUC No. 408, PUC No. 1782 and PUC No. 1782-I -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Arthur L. Hilzer, doing business as "Grover Truck Line," Grover, Colorado, subject to payment of outstanding indebtedness against said operations, if any there be, whether secured or unsecured.

That said transfers shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said certificates (PUC No. 381, PUC No. 408, PUC No. 1782 and PUC No. 1782-I) 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 transfers, without further order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

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

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

That interstate operating rights herein transferred shall be 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
Ralph C. Johnson
Amos E. Muehle
Commissioners.

Dated at Denver, Colorado,
this 23rd day of November, 1962.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)

B. J. SERVICE, INC.)

P.O. Box 47)

Farmington, New Mexico)

AUTHORITY NO. M 708

CASE NO. 9814 Ins.

November 27, 1962

S T A T E M E N T

By the Commission:

On October 3, 1962, 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 G. Johnson
Henry E. Zalusky
Commissioners

Dated at Denver, Colorado,
this 27th day of November, 1962

original

(Decision No. 59676)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ALEXANDER LOFINK, 4540 LINCOLN)
STREET, DENVER, COLORADO, FOR AU-)
THORITY TO TRANSFER PUC NO. 3517) APPLICATION NO. 19456-Transfer
TO LOFINK & HARRISON, INC., 4540)
LINCOLN STREET, DENVER, COLORADO.)
-----)

November 23, 1962

Appearances: Donald A. Klene, Esq.,
Denver, Colorado,
for Applicants.

S T A T E M E N T

By the Commission:

By the above-styled application, Alexander Lofink, Denver, Colorado, owner of PUC No. 3517, sought authority to transfer said operating rights to Lofink & Harrison, Inc., Denver, Colorado.

Said application was regularly set for hearing before the Commission, at 2:00 P. M., November 30, 1962, at the Hearing Room of the Commission 532 State Services Building, Denver, Colorado, due notice thereof having been forwarded to all parties in interest.

The Commission is now in receipt of a communication from Attorney for Applicants herein, requesting dismissal of said application, inasmuch as Mr. Harrison had been injured, and transferee corporation is to be dissolved.

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 hearing of Application No. 19456-Transfer, presently set for 2:00 P. M., November 30, 1962, at Denver, Colorado, be, and the same hereby is vacated.

That said Application No. 19456-Transfer be, and the same hereby is, dismissed, upon request of Attorney for Applicants herein.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER RALPH C. HORTON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 23rd day of November, 1962.

ea

original

(Decision No. 59677)

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)
WITHDRAW ON A YEAR-AROUND BASIS)
THE RESPECTIVE RAIL AND EXPRESS)
AGENCIES WHICH THEY ARE PRESENTLY)
REQUIRED TO MAINTAIN AT YAMPA,)
COLORADO, FROM JULY 1ST TO NOVEM-)
BER 1ST OF EACH YEAR.)
-----)

APPLICATION NO. 19326

November 26, 1962

Appearances: T. A. White, Esq., Denver,
Colorado, for The
Denver and Rio Grande
Western Railroad Company;
E. W. Brown, Denver, Colo-
rado, for Railway Express
Agency, Incorporated.

S T A T E M E N T

By the Commission:

Pursuant to this Commission's Rules and Regulations
Pertaining to Railroads and Express Companies Operating in the
State of Colorado, The Denver and Rio Grande Western Railroad
Company and Railway Express Agency, Incorporated, did, on
September 6, 1962, file a request, seeking authority to withdraw,
on a year-around basis, the respective rail and express agencies
which they are presently required to maintain at Yampa, Colorado,
from July 1st to November 1st of each year.

By Decision No. 54236, of date May 9, 1960, this Commission
authorized applicants herein to withdraw agency services at said
station of The Denver and Rio Grande Western Railway Company, at
Yampa, Colorado, during the winter and spring season from November
1st to July 1st of each year.

Yampa, Colorado, is located 6.2 miles east of the Agency
Station at Phippsburg, Colorado, on The Denver and Rio Grande Western

Railroad Company's branch line railroad, extending between Orestod, Colorado, and Craig, Colorado. The Yampa and Phippsburg stations are also served by good, paved, all-weather highways.

Applicant states that there is very little less-than-carload business handled on rail billing at Yampa, Colorado, since for many years, less-than-carload shipments to and from Yampa have been, and are now being handled in substituted motor truck service, with pickup and delivery service being furnished consignors and consignees at Yampa; that withdrawal of the Agent at Yampa will result in no change in passenger service because patrons may purchase their tickets from the conductor after boarding the train; that during the past years of part-time Agent service, milk and cream and mail handling has continued at the Depot and will be provided by the train crew; that carload business handled at Yampa during the period July 1st to November 1st consists almost entirely of livestock shipments, and that this business is not sufficient to justify the maintenance of an agent at Yampa, and that the billing on carload shipments to and from Yampa can be handled satisfactorily and conveniently for all concerned by The Denver and Rio Grande Western Railroad Company's Agent, located at Phippsburg; that an agent is not required at Yampa for the safe operation of train service on said railroad, and that public convenience and necessity does not require the maintenance of either a rail or express agency at Yampa for handling of either railroad or express business; that if this Petition is granted, considerable savings will be realized by the Petitioners, and said Petitioners should therefore be authorized, as a matter of efficient and economical management, to discontinue the respective agencies which they are presently required to maintain at Yampa, from July 1st to November 1st of each year.

"Notice of the Change in Service of The Denver and Rio Grande Western Railroad Company and the Railway Express Agency, Incorporated, at Yampa, Colorado," was attached to the instant application, having been posted in a conspicuous place at the Station at Yampa, Colorado, at least thirty days prior to the proposed effective date of October 10, 1962.

The Commission has received no protests to the closing of said Yampa Station. In its other investigation, the Commission has secured data regarding shipments and shippers, station revenues and expenses and explanation of station operations. Additional railroad correspondence, dated September 11, 1962, includes the following:

"Mr. Davis (Superintendent), advises he has contacted practically all of the persons or firms which the Railroad Company's records disclose have been shipping at Yampa, and has advised them of the proposed closing of Yampa. Mr. Davis further advises that these people have informed him that they have no objection and that they can satisfactorily handle their business with the Railroad Company's agent at Phippsburg."

It is the belief of the Commission that the proposed change is compatible with the public interest and, therefore, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That safe and economical railroad operation does not require the maintenance of the Yampa, Colorado Station of The Denver and Rio Grande Western Railroad Company, nor does public convenience and necessity require the maintenance of Agency Station of Railway Express Agency, Incorporated, at said Yampa, Colorado.

That public convenience and necessity can be adequately served by Agency Station at Phippsburg, Colorado.

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

O R D E R

THE COMMISSION ORDERS:

That the above Statement and Findings are hereby made a part of this Order by reference.

That The Denver and Rio Grande Western Railroad Company and Railway Express Agency, Incorporated, be, and hereby are, authorized to withdraw the respective rail and express agencies which they have

been required to maintain at Yampa, Colorado, from July 1st to November 1st of each year, and close said station on a permanent year-around basis, effective as of twenty-one days from the date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Horton
Henry C. Zalusky
Commissioners.

Dated at Denver, Colorado,
this 26th day of November, 1962.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
CORTEZ NATURAL GAS COMPANY, INC.,)	
20 BOULDER CRESCENT, COLORADO)	
SPRINGS, COLORADO, FOR AN ORDER)	<u>APPLICATION NO. 19442-Securities</u>
AUTHORIZING THE ISSUANCE OF)	
\$600,000 OF FIRST MORTGAGE PROM-)	
ISSORY NOTES)	
-----)	

November 26, 1962

Appearances: Cool and Phillips, Esqs.,
Colorado Springs, Colo-
rado, by John A. Phillips,
Esq., for Applicant;
E. R. Thompson, Denver,
Colorado, and
J. M. McNulty, Denver, Colo-
rado, for the Commission.

S T A T E M E N T

By the Commission:

Pursuant to Article 1, Chapter 115, Section 4, Colorado Revised Statutes, 1953, Cortez Natural Gas Company, Inc., a Colorado corporation, herein called "Applicant," filed with the Commission, on November 1, 1962, its application for an Order of this Commission authorizing the issuance and sale at private sale of \$600,000 of its first mortgage promissory notes.

By Decision No. 59566, dated November 1, 1962, the above-entitled matter was set for hearing, after due notice to all interested parties, on November 14, 1962, in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. Interested parties, municipalities, representatives of interested consumers or security holders of the Applicant, and other persons whose participation in the matter is in the public interest, were invited to intervene in the proceedings. Petitions were to be filed with the Commission on or before November 8, 1962. The hearing of the aforesaid application

was heard on said date by Edwin R. Lundborg, a duly appointed Examiner for the Commission. Evidence received and testimony taken in the matter, together with Examiner's Report and his recommendation, were all submitted to the Commission, and the matter was taken under advisement.

No Petitions of Intervention were filed with the Commission prior to the hearing and no one appeared at the hearing in opposition to the authority sought by Applicant in this matter.

Applicant is a corporation organized and existing under and by virtue of the laws of the State of Colorado, and is a public utility operating company, subject to the jurisdiction of this Commission, engaged in the distribution and sale at retail of natural gas to domestic, commercial and industrial customers in the Towns of Cortez, Dolores and Mancos, Colorado, and areas adjacent thereto. Applicant's principal executive offices are located in Colorado Springs, Colorado.

A copy of Applicant's Certificate of Incorporation, as amended, is on file with the Commission. Such Certificate of Incorporation, as amended, provides for an authorized capital stock of \$2,500,000 divided into 5,000 shares of non-cumulative, non-voting 5% Preferred Stock of the par value of \$100 per share, and 20,000 shares of Common Stock of the par value of \$100 per share. Of such authorized capital stock, Applicant had issued and outstanding, as of May 31, 1962, 1,760 shares of its Preferred Stock, and 1,500 shares of its Common Stock, all issued pursuant to Decision No. 50409 of this Commission in Application No. 16359-Securities, Amended.

Applicant has heretofore issued and as of May 31, 1962, there was outstanding one promissory note in the amount of \$351,900, bearing interest at the rate of 6% per annum, principal and interest payable in semi-annual installments. Such Note is secured by a Deed of Trust on properties of Applicant. As of May 31, 1962, Applicant had outstanding \$138,463 of short-term indebtedness, which is now past due.

As evidence of the Company's financial position, Applicant introduced into evidence as Exhibit "C" its corporate balance sheet as of May 31, 1962, and its pro forma balance sheet reflecting the sale of \$600,000 of promissory notes; Applicant also introduced as Exhibit "D" its corporate income statement for the 12 months ending May 31, 1962, and statement of earned surplus 12 months ending May 31, 1962.

Applicant proposes to issue and sell \$600,000 of its $5\frac{1}{2}\%$ first mortgage promissory notes at private sale at par and anticipates receiving from such sale the aggregate sum of \$600,000 less expenses incident to such issuance and sale. These promissory notes will mature five years from the date of said notes, and will be secured by a First Mortgage or Deed of Trust on the plant facilities and properties of the Applicant. Applicant will not pay any underwriting or other fee in respect of the proposed sale of the \$600,000 of First Mortgage notes and the proceeds of such sale will be used to retire the present 6% Note and Deed of Trust and the present short-term indebtedness. A portion of such proceeds will also be used for additional plant facilities and improvements.

The Report of the Examiner recommends that the authority sought herein be granted by appropriate Order of this Commission.

This Commission has carefully reviewed all of the evidence adduced at the hearing in this matter, and is of the opinion that the authority sought by Applicant should be granted.

F I N D I N G S

THE COMMISSION FINDS:

That Applicant, Cortez Natural Gas Company, Inc., Colorado Springs, Colorado, a Colorado corporation, is a public utility as defined by Article 1, Chapter 115, Section 4, Colorado Revised Statutes, 1953.

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

That the Commission is fully advised in the premises.

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

That the proposed issuance and sale at private sale by Applicant of \$600,000 of its $5\frac{1}{2}\%$ first mortgage promissory notes at par is reasonably required and necessary for the Applicant's proper corporate financing.

That the proposed securities transaction is not inconsistent with the public interest; and that the purpose or purposes thereof are permitted by and are consistent with the provisions of Chapter 115, Colorado Revised Statutes, 1953.

That the Report of the Examiner on this matter should be approved.

That the Order sought should be issued, and should be made effective forthwith.

O R D E R

THE COMMISSION ORDERS:

That Applicant, Cortez Natural Gas Company, Inc., a Colorado Springs, Colorado, be, and it hereby is, authorized and empowered to issue and sell at private sale \$600,000 of its $5\frac{1}{2}\%$ First Mortgage promissory notes at par.

That Applicant be, and it hereby is, authorized to use and apply the proceeds from the issuance and the sale of the \$600,000 of the $5\frac{1}{2}\%$ First Mortgage promissory notes for additional plant improvements to retire the existing short-term indebtedness, and to retire existing 6% promissory note and deed of trust.

That Applicant be, and it hereby is, authorized in reflecting in its accounts the consummation of the financing outlined above, to make and record the various accounting entries in accordance with the Uniform System of Accounts for Gas Utilities prescribed by this Commission.

That nothing herein shall be construed to imply any recommendation or guaranty of said $5\frac{1}{2}\%$ First Mortgage promissory notes on the part of the State of Colorado.

That within sixty (60) days after the final issuance and sale of the promissory notes hereinabove referred to, Applicant shall make a verified report to this Commission of such security transactions, the expenses incident thereto, accompanying such report with a new balance sheet reflecting the action taken.

That each $5\frac{1}{2}\%$ First Mortgage promissory note issued by Applicant pursuant to the authority granted herein, shall be identified by a legend appearing thereon, as follows: "Colo. PUC No. 59678."

That the Report of the Examiner in the instant matter be, and the same is hereby, approved.

That the Commission shall retain jurisdiction of these proceedings to the end that it may make such further Order or Orders in the premises as to it may seem to be proper and desirable.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Richard C. Horton
Henry E. Paulino
Commissioners.

Dated at Denver, Colorado,
this 26th day of November, 1962.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE APPLICATION OF MAC BICKLING AND }
DOROTHY M. BICKLING, DOING BUSINESS }
AS BRIGHTON CAB TO INCREASE ITS }
RATES AND CHARGES ----- }

CASE NO. 5231

November 26, 1962

S T A T E M E N T

BY THE COMMISSION:

On October 29, 1962, Mac Bickling, co-partner of Brighton Cab filed its application dated October 26, 1962 requesting that they be permitted to put into force and effect new increased rates applicable to the transportation of passengers and their hand baggage, in cabs of not to exceed five-passengers capacity, between points in the area within a radius of 10 miles of, and including, the City of Brighton, Colorado, and from points in said radius, to Denver, Stapleton Airport, Lafayette and Boulder, Colorado, and return as more fully set forth under Certificate of Convenience and Necessity No. 1791.

The following is a resume' of the present and proposed rates:

<u>Present</u>	<u>Proposed</u>
<u>Day Rates</u>	<u>Day Rates</u>
Effective between hours of 6:00 A.M. and 12:00 P.M. computed on meter	Effective between hours of 6:00 A.M. and 12:00 P.M. computed on meter
Flag drop 35¢ for 1st mile and 5¢ for each 1/5 mile thereafter	Flag drop 40¢ for 1st 1/2 mile and 5¢ for each 1/6 mile thereafter
An additional charge of 10¢ for each extra passenger.	An additional charge of 10¢ for each extra passenger.
	In case of packages not exceeding 100 pounds without passengers, the regular meter rate of cab plus 25¢ for each piece; pick-up and delivery shall apply to night rates also.

Night Rates

Effective between 12:00 P.M.
and 6:00 A.M.

10¢ will be added to flag
drop making it 45¢ for 1st
mile and 5¢ for each 1/5
mile thereafter.
10¢ for each extra passenger.

Baggage

Trunks - 25¢
1 suit case - free
Excess luggage - 10¢ per piece
except small packages & brief
cases - free.

Night Rates

Effective between 12:00 P.M.
and 6:00 A.M.

10¢ will be added to flag
drop making it 50¢ for the
1st 1/2 mile and 5¢ for
each extra passenger.
An additional 10¢ for each
extra passenger.

Baggage

Trunks - 50¢
1 suit case - free
Excess luggage - 25¢ per piece
except small packages & brief
cases - free.

In other respects the application as filed sets forth the same provisions as currently in effect. It was requested in the application that petitioners be permitted to publish the changes on statutory notice.

F I N D I N G S

THE COMMISSION FINDS, That:

The matter is of sufficient importance to require a public hearing for the taking of evidence and that all interested parties may be heard.

O R D E R

THE COMMISSION ORDERS, That:

1. A public hearing be set for December 4, 1962, at 2:00 P.M. in the hearing room of the Commission, 532 State Services Building, 1525 Sherman Street, Denver 2, Colorado.

2. Seven days before the hearing date hereon applicants shall provide the Secretary of the Commission with copies of any and all exhibits which are to be introduced in evidence in support of their case.

3. Copies of this order be forthwith served upon Mac Bickling and Dorothy M. Bickling, doing business as Brighton Cab, 50 South First Street, Brighton, Colorado.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Walter E. Zalusko
Commissioners

Dated at Denver, Colorado this
26th day of November, 1962.

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

SOUTHEAST COLORADO POWER ASSOCIATION,
A PUBLIC UTILITY, WITH ITS GENERAL
OFFICES LOCATED AT 901 WEST THIRD
STREET, LA JUNTA, COLORADO,

Complainant,

vs.

CASE NO. 5226

THE UTILITIES BOARD OF THE CITY OF
LAMAR, AND THE CITY OF LAMAR, A
MUNICIPAL CORPORATION OF THE STATE
OF COLORADO,

Respondents.

November 26, 1962

Appearances: Carl M. Shinn, Esq., Lamar,
Colorado, for Complainant;
John R. Barry, Esq., Denver,
Colorado, and
S. Arthur Gordon, Esq.,
Lamar, Colorado, for Re-
spondents.

S T A T E M E N T

By the Commission:

This matter coming on for hearing, 9:30 A. M., November 20,
1962, at the Hearing Room of the Commission, 532 State Services Build-
ing, Denver, Colorado, upon the objection of Respondents to Notice to
Take Depositions upon Written Interrogatories, heretofore made and
filed herein by Complainant, and the Commission, having heard the ar-
gument of counsel, and having examined the files herein, and being
fully advised in the premises, doth find:

F I N D I N G S

That the Notice to Take Deposition of L. K. Christolear,
Manager of Respondent Utility, is moot, the deposition of said L. K.

Christolear having been taken by Order of the District Court in and for the County of Prowers, State of Colorado, prior to arguments herein.

That Notice to Take Depositions upon Written Interrogatories of R. E. Madsen and L. R. Johnson, employees of the American Telephone and Telegraph Company, was filed on the 5th day of November, 1962, giving notice to the Utilities Board of the City of Lamar, and to its Attorneys, Gordon and Gordon, and John Barry; that said Notice was not addressed to, nor served upon, The Public Utilities Commission of the State of Colorado, as a party.

That, pursuant to law, The Public Utilities Commission is an indispensable party to all proceedings involving the duties, rights, and obligations of public utilities in the State of Colorado, and failure to so notify said Commission is in violation of the Rules of Civil Procedure, and of the Rules and Regulations of this Commission, and therefore said Notice to Take Depositions upon Written Interrogatories is of no force and effect, and should be quashed.

O R D E R

THE COMMISSION ORDERS:

That Notice to Take Depositions upon Written Interrogatories of R. E. Madsen and L. R. Johnson, and said interrogatories to be propounded to said individuals, be, and the same hereby are, quashed.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro

Robert C. Hobart

Henry Paulsen
Commissioners.

Dated at Denver, Colorado,
this 26th day of November, 1962.
mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LOREN F. DICKSON, DOING BUSINESS AS)
"DICKSON FLYING SERVICE," VERNON,)
COLORADO, FOR A CERTIFICATE OF PUB-)
LIC CONVENIENCE AND NECESSITY TO)
OPERATE AS A COMMON CARRIER, BY)
AIRPLANE.)
-----)

APPLICATION NO. 19116

November 26, 1962

Appearances: Grutter and Callahan, Esqs.,
Wray, Colorado, by
Joseph T. Callahan, Esq.,
for Applicant;
Loren F. Dickson, Vernon
Colorado, pro se;
Ray Wilson, Denver, Colorado,
for the Commission.

S T A T E M E N T

By the Commission:

Applicant herein seeks a certificate of public convenience and necessity to operate as a common carrier, by airplane, for the transportation of passengers and property, not on schedule but on call and demand, from, to and between all points within the State of Colorado, using Yuma, Colorado, as a base of operations.

The application was regularly set for hearing after statutory notice to all interested parties, and was heard at 532 State Services Building, Denver, Colorado, at 2:00 o'clock P. M., June 15, 1962, and at the conclusion of the evidence, the matter was taken under advisement by the Commission.

At the hearing, Loren F. Dickson, the applicant herein, appeared in support of his application, testifying as to his equipment, operating experience, and financial status, and stated he has had requests for service at various times before he made application for authority.

Thomas Fitzel, of the Yuma Chamber of Commerce, appeared and testified in support of the application, stating that he is well acquainted with applicant; that applicant appears to be well qualified to carry on the proposed operations; and that such a service is needed in that area.

Ray Wilson, Supervisor, Air Carriers, for the Public Utilities Commission, testified that Certificate of Insurance for applicant is on file with the Commission, showing suitable coverage; that tariffs also have been filed; that, in his opinion, the equipment owned by applicant is suitable for the proposed operation, and that the experience of applicant is satisfactory for the service proposed.

A financial statement of applicant, including a list of his equipment, was introduced at the hearing and marked "Exhibit No. 1."

Temporary authority for the proposed operations was issued to applicant on June 20, 1962, pending issuance of this certificate, and was issued for a period of ninety (90) days only.

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

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

F I N D I N G S

THE COMMISSION FINDS:

That public convenience and necessity require applicant's proposed 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 common carrier operations of Loren F. Dickson, doing business as "Dickson Flying Service," Vernon, Colorado, for the transportation by airplane, of passengers and property, not on schedule but on call and demand, from, to, and between all points within the State of Colorado, using Yuma, Colorado, as the base of operations, and this Order shall be

taken, deemed, and held to be a certificate of public convenience and necessity therefor.

Applicant shall not establish an office or branch for the purpose of developing business at any town other than Yuma, Colorado, and airports located within forty (40) miles of said town.

Applicant shall file tariffs, rate schedules, and rules and regulations with, and to be approved by, this Commission, within thirty (30) days from the date hereof, and such rates so filed for transportation of passengers between points served by air carriers operating on schedule over fixed routes, and in competition therewith, shall be sufficiently in excess of the per-passenger effective rates of said fixed-route carriers by air so operating on schedule between said points to be non-competitive therewith.

The 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
Robert C. Noland
Henry E. Zuluaga
Commissioners.

Dated at Denver, Colorado,
this 26th day of November, 1962.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JOHN A. FARHAR, P. O. BOX 987,)
CRAIG, COLORADO.)
-----)

PERMIT NO. M-2681

November 29, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from John A. Farhar,
Craig, Colorado
requesting that Permit No. M-2681 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2681, heretofore issued to John A. Farhar,
Craig, Colorado be,
and the same is hereby, declared cancelled effective November 7, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 29th day of November, 19 62.

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 59683)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
JOHN A. FARHAR, P. O. BOX 987)
CRAIG, COLORADO.)
-----)

PERMIT NO. B-4226

November 29, 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-4226 be suspended
for six months from November 7, 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 John A. Farhar, Craig, Colorado

be, and is hereby, authorized to suspend his operations under Permit
No. B-4226 until May 7, 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. Negro
Ralph C. Horton
Henry E. Zullinger
Commissioners

Dated at Denver, Colorado,
this 29th day of November, 1962.

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 59684)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
JAKE BETTGER, STEAMBOAT SPRINGS,)
COLORADO.)

PERMIT NO. B-4721

November 29, 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-4721 be suspended
for six months from September 25, 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 Jake Bettger, Steamboat Springs, Colorado

be, and is hereby, authorized to suspend his operations under Permit
No. B-4721 until March 25, 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. Negro
James C. McQuinn
Henry E. Zepher
Commissioners

Dated at Denver, Colorado,
this 29th day of November, 1962.

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 59685)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
ROBERT L. SCHIMMEL AND HENRY G.)
SCHIMMEL, DOING BUSINESS AS,)
"R AND H TRUCKING COMPANY", P. O.)
BOX 251, PINE BLUFFS, WYOMING.)

PERMIT NO. B-6168 & I

November 29, 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-6168 & I be suspended
for six months from November 19, 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 Robert L. Schimmell & Henry G. Schimmel, doing business as,
"R & H Trucking Co.", Pine Bluffs, Wyoming
be, and are hereby, authorized to suspend their operations under Permit
No. B-6168 & I until May 19, 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. Negro
Joseph C. Horton
Henry E. Zurlings
Commissioners

Dated at Denver, Colorado,
this 29th day of November, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

HARRY WEINSTEIN WHOLESALE MEATS,
INCORPORATED, WEST LAKE STREET AND
MONK AVENUE, HOPKINS, MINNESOTA.

PERMIT NO. M-15193

November 29, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Harry Weinstein Wholesale Meats, Inc., Hopkins, Minnesota requesting that Permit No. M-15193 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15193, heretofore issued to Harry Weinstein Wholesale Meats, Inc., Hopkins, Colorado be, and the same is hereby, declared cancelled effective September 15, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 29th day of November, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
BILLY ROBERT THOMPSON, DOING BUSINESS)
AS, "THOMPSON FLOOR COVERING COMPANY")
8752 WEST 26TH AVENUE, DENVER 15,)
COLORADO.)
-----)

PERMIT NO. M-13899

December 6, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Billy Robert Thompson,
doing business as, "Thompson Floor Covering Company", Denver 15, Colorado
requesting that Permit No. M-13899 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13899, heretofore issued to Billy Robert Thompson,
doing business as, "Thompson Floor Covering Company", Denver 15, Colorado be,
and the same is hereby, declared cancelled effective May 1, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Garth C. Norton
Henry E. Zuehlke
Commissioners

Dated at Denver, Colorado,

this 6th day of December, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
AXSOM AUTO WRECKING, INCORPORATED,)
3400 SOUTH PLATTE RIVER DRIVE, ENGLE-)
WOOD, COLORADO.)
-----)

PERMIT NO. M-14220

December 6, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Axsom Auto Wrecking, Inc.,
Englewood, Colorado
requesting that Permit No. M-14220 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14220, heretofore issued to Axsom Auto Wrecking, Inc.,
Englewood, Colorado be,
and the same is hereby, declared cancelled effective November 19, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 6th day of December, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
PHILIP CIELOHA, ROLLINSVILLE, COLO-)
RADO.)
)
)
-----)

PERMIT NO. M-11877

December 6, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Philip Cieloha,
Rollinsville, Colorado
requesting that Permit No. M-11877 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11877, heretofore issued to Philip Cieloha,
Rollinsville, Colorado be,
and the same is hereby, declared cancelled effective November 20, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Hobart
Commissioners

Dated at Denver, Colorado,
this 6th day of December, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
FASSETT'S, INCORPORATED, 1ST AND)
ADAMS STREET, MONTE VISTA, COLORADO.)
_____))
_____)

PERMIT NO. M-11981

December 6, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Fassett's, Inc.,
Monte Vista, Colorado
requesting that Permit No. M-11981 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11981, heretofore issued to Fassett's, Inc.,
Monte Vista, Colorado be,
and the same is hereby, declared cancelled effective October 25, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Horton
Henry E. Zalusky
Commissioners

Dated at Denver, Colorado,
this 6th day of December, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
HOLDREGE ROLLER MILLS, 4TH AND)
SHERMAN, HOLDREDGE, NEBRASKA.)
-----)

PERMIT NO. M-4314

December 6, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Holdredge Roller Mills,
Holdredge, Nebraska
requesting that Permit No. M-4314 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4314, heretofore issued to Holdredge Roller Mills,
Holdredge, Nebraska be,
and the same is hereby, declared cancelled effective November 3, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 6th day of December, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE INCREASED CLASS AND COMMODITY
RATES-CANCELLATION OF JOINT RATES
AND ROUTES - RIO GRANDE MOTOR WAY,
INC., ET AL. ----- }

INVESTIGATION AND SUSPENSION
DOCKET NO. 496

November 26, 1962

S T A T E M E N T

BY THE COMMISSION:

On June 27, 1962, the Colorado Motor Carriers' Association Agent, filed numerous revised pages to its Tariff No. 12-A, Colorado P.U.C. No. 11, scheduled to become effective July 31, 1962, as referred to specifically in Appendix "A" of Decision No. 58933 dated July 17, 1962, proposing cancellation of and additions to various local and joint routes published in connection with local and joint rates, resulting in increased and reduced local and joint class and commodity rates and charges for the transportation of freight between points and places within plains and mountain territories.

By Decision No. 58933 dated July 17, 1962, the operation of said schedule was suspended to November 28, 1962. It now appears that the matter cannot be concluded within the 120 day suspension period and therefore should be further suspended for an additional period of six (6) months.

F I N D I N G S

THE COMMISSION FINDS, That;


The schedules, as set forth in the statement published to become effective July 31, 1962, should be further suspended for an additional period of six (6) months or to and including May 28, 1963.


O R D E R

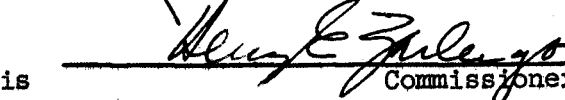
THE COMMISSION ORDERS, That:

1. The Statement and Findings, be, and they are hereby made a part hereof.
2. The operation of said schedules set forth in the statement herein, shall be further suspended for an additional period of six (6) months or to and including May 28, 1963, unless otherwise ordered by the Commission and no change shall be made during the said period of suspension.
3. The rates, rules and regulations 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 extension thereof has expired.
4. A copy of this order shall be filed with the said tariff in the office of the Commission and that copies hereof be forthwith served upon J. R. Smith, Chief of Tariff Bureau, Colorado Motor Carriers' Association, Agent, 4060 Elati Street, Denver 16, Colorado; Ernest P. Porter, Esq., Rio Grande Building, Denver, Colorado; Ralph E. Turano, General Traffic Manager, Rio Grande Motor Way, Inc., 775 Wazee Street, Denver 4, Colorado; Charles D. Mathews, Esq., P. O. Box 10837, Dallas 7, Texas; Ray Wilson, General Traffic Manager, Red Ball Motor Freight, Inc., P. O. Box 10837, Dallas 7, Texas; Larson Transportation Company, 775 Wazee, Denver 4, Colorado; and Grand Junction-Palisade Freight Line, Box 367, Palisade, Colorado.
5. The necessary suspension supplement shall be issued to the tariff referred to in the statement herein.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners

Dated at Denver, Colorado this
26th day of November, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LYNN R. WADE, DOING BUSINESS AS)
"WADE'S BUS LINE," OGALLALA,)
NEBRASKA, FOR AUTHORITY TO TRANSFER)
INTERSTATE OPERATING RIGHTS TO) PUC NO. 2536-I-Transfer
WADE BUS LINES, INC., OGALLALA,)
NEBRASKA.)
-----)

November 27, 1962

S T A T E M E N T

By the Commission:

Heretofore, Lynn R. Wade, doing business as "Wade's Bus Line," Ogallala, Nebraska, was granted a certificate of public convenience and necessity (PUC No. 2536-I), authorizing operation as a common carrier by motor vehicle for hire:

between all points in Colorado and the Colorado State Boundary Lines, where all highways cross same, in interstate commerce, only, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

Said certificate-holder now seeks authority to transfer said PUC No. 2536-I to Wade Bus Lines, Inc., Ogallala, Nebraska.

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


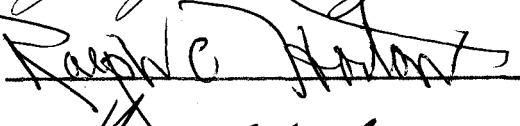

THE COMMISSION ORDERS:

That Lynn R. Wade, doing business as "Wade's Bus Line," Ogallala, Nebraska, be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 2536-I -- with

authority as set forth in the Statement preceding, which is made a part hereof by reference -- to Wade Bus Lines, Inc., Ogallala, Nebraska, subject to payment of outstanding indebtedness, if any there be, against said certificate, and subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 27th day of November, 1962.

ea

(Decision No. 59694)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

REDUCED COMMODITY RATES)
VIA EXPRESS ----- }

INVESTIGATION AND SUSPENSION
DOCKET NO. 498

November 27, 1962

STATEMENT AND FINDINGS

BY THE COMMISSION:

By our Decision No. 59018, dated July 31, 1962, we suspended Railway Express Agency, Inc. Commodity Tariff No. 33-B, Colorado P.U.C. No. 227, Section 3, Rate Table 5, Pages 84 through 87, both inclusive, Section 1, Pages 15 through 35, both inclusive, and the rules and governing provisions, scheduled to have become effective August 1, 1962, to and including November 28, 1962.

The Railway Express Agency, Inc. hereinafter called respondent, filed its petition, dated September 11th, received on September 14th, petitioning the Commission to issue an order vacating the subject docket and permitting the suspended rate schedule to become effective on Colorado intrastate traffic. Ephraim Freightways, Inc. and Rio Grande Motor Way, Inc., hereinafter called protestants, replied thereto under dates of September 24th and October 3rd, respectively.

Upon consideration of the petition of the respondent and replies thereto by protestants, we find that our order suspending said Railway Express Agency, Inc. schedule and ordering an investigation as to the lawfulness thereof, should be vacated and the proceeding discontinued.


O R D E R


THE COMMISSION ORDERS, That:


1. The Statement and Findings be, and they are hereby made a part hereof.

2. The order heretofore entered in this proceeding (Decision No. 59018, dated July 31, 1962) suspending the operation of the schedules referred to in the statement herein and ordering an investigation as to the lawfulness thereof, be and is hereby vacated and set aside as of November 28, 1962 and that this proceeding be discontinued.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners

Dated at Denver, Colorado this
27th day of November, 1962.

jbw

(Decision No. 59695)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: THE MATTER OF A GENERAL)
INVESTIGATION OF THE FREIGHT)
RATES AND CLASSIFICATION OF)
FREIGHT OF ALL COMMON AND)
PRIVATE MOTOR CARRIERS)
-----)

CASE NO. 1585

November 27, 1962

S T A T E M E N T

BY THE COMMISSION:

On September 28, 1962, the Colorado Motor Carriers' Association as Agent, by J. R. Smith, Chief of Tariff Bureau, filed with the Commission, certain schedules, to become effective November 3, 1962.

The changes involved were published in Colorado Motor Carriers' Association, Agent, Local and Joint Freight Tariff No. 12-A, Colorado P.U.C. No. 11 and were as follows, viz:

Elimination of the following from Item No. 780--

"Claims

All loss or damage claims must be reported to the delivering carrier within 48 hours after delivery, and the carrier must make inspection within a reasonable time thereafter not to exceed 96 hours, save and except on household goods, all claims for loss and/or damage must be made in writing within 10 days from date of shipment."

On November 1, 1962, Decision No. 59571, Case No. 1585, the Commission found that the proposed change was justified and ordered the cancellation of same to become effective on November 3, 1962.

This action by the Commission had the effect of cancelling the provision in the Colorado Motor Carriers' Association, Agent, Local and Joint Freight Tariff No. 12-A, Colorado P.U.C. No. 11, but had no effect on other publications.

In Decision No. 7118, dated February 5, 1936, in Case No. 1585, under Appendix "A", Item No. 2, the Commission prescribed the following, viz:

"Bill of Lading

The uniform straight bill of lading is hereby adopted as the uniform bill of lading for all common motor vehicle carriers; also for private carriers by motor vehicle without the contract terms and conditions."

The same provision is still in effect today, except, effective February 28, 1939, Decision No. 12930, a uniform bill of lading covering the movement of livestock was prescribed. In Decision No. 7118, Case No. 1585, Appendix "B", Rule 14, the following provision was prescribed, viz:

"All loss or damage claims must be reported to the delivering carrier within 48 hours after delivery, and the carrier must make inspection within a reasonable time thereafter not to exceed 96 hours save and except on household goods, all claims for loss and/or damage must be made in writing within 10 days from date of delivery."

Under Section 2(b) of the Contract Terms and Conditions of the Uniform Straight Bill of Lading - Domestic - the following is provided, viz:

"As a condition precedent to recovery, claims must be filed in writing with the receiving or delivering carrier, or carrier issuing this bill of lading, or carrier on whose line the loss, damage, injury or delay occurred, or carrier in possession of the property when the loss, damage, injury or delay occurred, within nine months after delivery of the property (or, in the case of export traffic, within nine months after delivery at port of export) or, in case of failure to make delivery, then within nine months after a reasonable time for delivery has elapsed; and suits shall be instituted against any carrier only within two years and one day from the day when notice in writing is given by the carrier to the claimant that the carrier has disallowed the claim or any part or parts thereof specified in the notice. Where claims are not filed or suits are not instituted thereon in accordance with the foregoing provisions, no carrier hereunder shall be liable, and such claims will not be paid."

Under the provisions of Item No. 2, Appendix "A", in Case No. 1585, Decision No. 7118, dated February 5, 1936, the Commission prescribed the uniform bill of lading for all motor vehicle common carriers, which includes the contract terms and conditions of said bill of lading; also for private carriers by motor vehicle without the contract terms and conditions.

It is to be noted that under Rule No. 14, Appendix "B" of said decision, all claims for loss or damage must be reported to the delivering carrier within 48 hours after delivery, and the carrier must make inspection within a reasonable time thereafter not to exceed 96 hours, except on household goods, which is 10 days. This provision is absolutely contrary to the nine months period provided in the bill of lading.

An investigation by the rate department developed that as a general proposition the terms of the bill of lading are being observed insofar as the nine months period is concerned.

F I N D I N G S

THE COMMISSION FINDS, That:

That the following provision prescribed in Rule No. 14, Appendix "B", Case No. 1585, Decision No. 7118, dated February 5, 1936, should be cancelled, viz:

"All loss or damage claims must be reported to the delivering carrier within 48 hours after delivery, and the carrier must make inspection within a reasonable time thereafter not to exceed 96 hours save and except on household goods, all claims for loss and/or damage must be made in writing within 10 days from date of delivery."

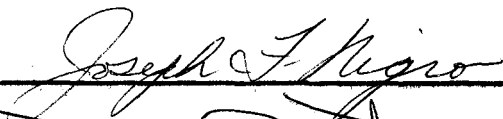


O R D E R

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 provision prescribed in Rule No. 14, Appendix "B", Case No. 1585, Decision No. 7118, dated February 5, 1936, as set forth in the findings, be, and the same is hereby cancelled effective December 15, 1962, on five (5) days' notice to the Commission and the general public in accordance with the law and the rules and regulations of the Commission.
4. 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.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado this
27th day of November, 1962

jbw

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
TECONCO BUILDERS, INCORPORATED, P. O.)
BOX 1491, COLORADO SPRINGS, COLORADO.)
_____))
_____)

PERMIT NO. M-1620

December 6, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Teconco Builders, Inc.,
Colorado Springs, Colorado
requesting that Permit No. M-1620 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1620, heretofore issued to Teconco Builders, Inc.,
Colorado Springs, Colorado be,
and the same is hereby, declared cancelled effective November 11, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Hooton
Henry E. Zullinger
Commissioners

Dated at Denver, Colorado,
this 6th day of December, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
WALTER M. WILLIAMS, 125 LAKE AVENUE,)
ORDWAY, COLORADO.)
)
)
-----)

PERMIT NO. M-11810

December 6, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Walter M. Williams,
Ordway, Colorado
requesting that Permit No. M-11810 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11810, heretofore issued to Walter M. Williams,
Ordway, Colorado be,
and the same is hereby, declared cancelled effective October 29, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Robert C. [unclear]
Henry E. Zank
Commissioners

Dated at Denver, Colorado,
this 6th day of December, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ROBERT L. ANDERSEN, DOING BUSINESS)
AS, "ANDERSEN IMPLEMENT COMPANY",)
310 SOUTH CEDAR, JULESBURG, COLORADO.)
-----)

PERMIT NO. M-13912

December 6, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Robert L. Andersen,
doing business as, "Andersen Implement Company", Julesburg, Colorado
requesting that Permit No. M-13912 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13912, heretofore issued to Robert L. Andersen, doing
business as, "Andersen Implement Company", Julesburg, Colorado be,
and the same is hereby, declared cancelled effective November 20, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 6th day of December, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)

BERT O. VANCE, P. O. BOX 273,)
LA JARA, COLORADO.)

PERMIT NO. B-5948

December 6, 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-5948 be further suspended for one year from November 23, 1962.

F I N D I N G STHE COMMISSION FINDS:

That the request should be granted.

O R D E RTHE COMMISSION ORDERS:

That Bert O. Vance, La Jara, Colorado

be, and is hereby, authorized to further suspend his operations under Permit No. B-5948 until November 23, 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. Negro
Joseph C. Norton
Henry E. Zuckerman
Commissioners

Dated at Denver, Colorado,
this 6th day of December, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LEO MARTELL AND WILLA MARTELL, DOING)
BUSINESS AS, "MARTELL AUTO SUPPLY",)
1045 COFFMAN, LONGMONT, COLORADO.)
-----)

PERMIT NO. M-5976

December 6, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Leo Martell and Willa Martell, doing business as, "Martell Auto Supply", Longmont, Colorado requesting that Permit No. M-5976 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-5976, heretofore issued to Leo Martell and Willa Martell, doing business as, "Martell Auto Supply", Longmont, Colorado be, and the same is hereby, declared cancelled effective November 29, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Hooton
Commissioners

Dated at Denver, Colorado,

this 6th day of December, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
W. G. LUNDY, DOING BUSINESS AS,)
"LUNDY PRODUCE AND GRAIN", 830 OWEN)
AVENUE, JACKSONVILLE, FLORIDA.) PERMIT NO. M-15225
-----)

December 6, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from W. G. Lundy, doing
business as, "Lundy Produce & Grain", Jacksonville, Florida
requesting that Permit No. M-15225 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15225, heretofore issued to W. G. Lundy, doing
business as, "Lundy Produce & Grain", Jacksonville, Florida be,
and the same is hereby, declared cancelled effective November 1, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,
this 6th day of December, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
VIRON L. GRAY, 2980 S. W. 174TH,)
ALOHA, OREGON.)

PERMIT NO. B-5324

December 6, 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-5324 be further suspended for one year from December 3, 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 Viron L. Gray

be, and is hereby, authorized to further suspend his operations under Permit No. B-5324 until December 3, 1963.

That unless said permit-holder shall, prior to the expiration of said suspension period, 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
Raymond C. Norton
Wm. E. Ziegler
Commissioners

Dated at Denver, Colorado
this 6th day of December, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JOSE A. CASTILLEJA, P. O. BOX 335,)
FREDERICK, COLORADO.)
-----)

PERMIT NO. M-8611

December 6, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Jose A. Castilleja,
Frederick, Colorado
requesting that Permit No. M-8611 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8611, heretofore issued to Jose A. Castilleja,
Frederick, Colorado be,
and the same is hereby, declared cancelled effective October 2, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,
this 6th day of December, 19 62.

* * *

RE MOTOR VEHICLE OPERATIONS OF)
JOSE A. CASTILLEJA, P. O. BOX)
335, FREDERICK, COLORADO.)

PERMIT NO. B-6100

December 6, 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-6100 be suspended
for six months from October 2, 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 Jose A. Castilleja, Frederick, Colorado

be, and is hereby, authorized to suspend his operations under Permit
No. B-6100 until April 2, 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. Negro
Joseph C. Norton
Henry E. Zurlings
Commissioners

Dated at Denver, Colorado,
this 6th day of December, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF
TELFORD GRIM AND JAMES MASTALIR,
DOING BUSINESS AS, "G AND M
TRUCKING", VERDIGRE, NEBRASKA.

PUC NO. 5190-I

December 6, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Telford Grim
and James Mastalir, doing business as, "G & M Trucking", Verdigre, Nebraska
requesting that Certificate of Public Convenience and Necessity No. 5190-I
be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Certificate No. 5190-I heretofore issued to Telford Grim
and James Mastalir, doing business as, "G & M Trucking", Verdigre, Nebraska

be, and the same is hereby, declared cancelled effective August 31, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
James C. Norton
Henry E. Pauling
Commissioners

Dated at Denver, Colorado
this 6th day of December, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
RUAN TRANSPORT CORPORATION,)
7821 BRIGHTON BOULEVARD, ADAMS)
CITY, COLORADO, P. O. BOX 5085,)
DENVER, COLORADO.)
-----)

PUC NO. 1515
PERMIT NO. B-5315

November 28, 1962

S T A T E M E N T

By the Commission:

The Commission is in receipt of a Petition from Jones, Meiklejohn, Kilroy & Kehl, Attorneys for Ruan Transport Corporation, owner and operator of PUC No. 1515 and Permit No. B-5315, requesting a written waiver from the Commission to Rule 14 of Rules and Regulations Governing Common Carriers by Motor Vehicle, and from Rule 12 of Rules and Regulations Governing Private Carriers by Motor Vehicle, said Rules pertaining to "Leasing of Equipment as Lessee."

Inasmuch as other motor vehicle carriers, similarly situated, have heretofore been relieved of compliance with said Rules by this 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 Ruan Transport Corporation, Adams City, Colorado, be, and hereby is, relieved from compliance with the provisions of the Commission's Rule No. 14 of Rules and Regulations Governing Common Carriers by Motor Vehicle, and from compliance with Rule 12 of Rules and Regulations Governing Private Carriers by Motor Vehicle, which

Rules specify the minimum period for the leasing of equipment for such carriers, and which prohibit the leasing of equipment, or the employing of drivers, by such carriers on a percentage basis, dependent on gross receipts per trip, or for any period of time.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph J. Nigro
Robert C. Holton
Paul E. Paulino
Commissioners.

Dated at Denver, Colorado,
this 28th day of November, 1962.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CHARLES E. SEALS, DOING BUSINESS AS)
"LAKEWOOD BUS LINES," 2018 DOWNING)
STREET, DENVER, COLORADO, FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY, TO OPERATE AS A)
COMMON CARRIER BY MOTOR VEHICLE)
FOR HIRE.)
-----)

APPLICATION NO. 19461

November 28, 1962

S T A T E M E N T

By the Commission:

On September 19, 1962, the above-styled application was filed with the Commission by applicant herein, seeking a certificate of public convenience and necessity, authorizing operation as a common carrier by motor vehicle for hire, for the operation of a passenger bus service, in the City of Lakewood, Colorado.

Said matter has since been held in abeyance by the Commission, and no request has been received from applicant herein for hearing on said application.

F I N D I N G S

THE COMMISSION FINDS:

That unless request for hearing of the above-styled application shall be received by the Commission from Applicant herein before the effective date of this Order, said application should be dismissed, and the matter closed upon the docket of this Commission.

O R D E R

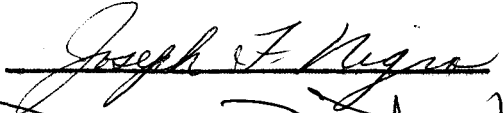
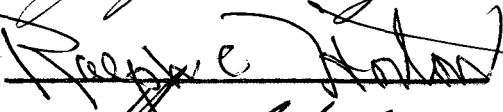

THE COMMISSION ORDERS:

That unless request for hearing of the above-styled application shall be received by the Commission from Applicant herein before the effective date of this Order, said application shall be dismissed,

without further notice, and said matter closed upon the docket
of this Commission.

This Order shall become effective thirty (30) days from
date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 28th day of November, 1962.

ea

signed

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
JOHN A. CAPORALE AND EVELYN J.)	
CAPORALE, DOING BUSINESS AS)	
"PIONEER TRUCKING COMPANY," 2655)	
NORTH BROADWAY, BOULDER, COLORADO,)	<u>APPLICATION NO. 19445-Transfer</u>
FOR AUTHORITY TO TRANSFER PUC NO.)	
616 TO PIONEER TRUCK LINES, INC.,)	
2655 NORTH BROADWAY, BOULDER,)	
COLORADO.)	
-----)	

November 28, 1962

Appearances: Jones, Meiklejohn, Kilroy and
Kehl, Esqs., Denver, Colo-
rado, by James D. Whitaker,
Esq., for Applicants.

S T A T E M E N T

By the Commission:

Heretofore, John A. Caporale and Evelyn J. Caporale,
doing business as "Pioneer Trucking Company," Boulder, Colorado,
were granted a certificate of public convenience and necessity
(PUC No. 616), authorizing operation as a common carrier by motor
vehicle for hire, for the transportation of:

Transportation of milk and cream, with return
of empty cans, to Boulder, Lafayette and Long-
mont, from the following-described territory:

Beginning at a point in the center of the west
line of Section 12, Township 3-North, Range
71-West; thence due east to U. S. Highway No.
87; thence south along said highway to the
north line of Section 34, Township 2-North,
Range 69-West; thence east two and one-half
miles; thence south one mile; thence east one
mile to the northwest corner of Section 5,
Township 1-North, Range 68-West; thence south
two miles; thence southwesterly to the south-
west corner of Section 18, Township 1-North,
Range 68-West, thence south three miles; thence
west to U. S. Highway No. 87; thence south
along said highway to the south Boulder County
Line; thence east to Broomfield; thence south
along State Highway No. 121 to the northwest
corner of the SE $\frac{1}{4}$ of Section 26, Township 3-
South, Range 69-West; thence west to the center

of the west line of Section 30, Township 3-South, Range 69-West; thence south one-half mile; thence east to State Highway No. 121; thence south two miles; thence west to the southwest corner of Section 2, Township 4-South, Range 70-West; thence north one-half mile; thence west one-half mile; thence north one and one-half miles; thence west one-half mile; thence north one mile; thence east one mile; thence north one and one-half miles; thence east two miles; thence north one-half mile; thence west one-half mile; thence north six miles; thence west one mile; thence north one mile; thence west one mile; thence north one mile to the South Boulder County line; thence west along said line to the southwest corner of Section 31, Township 1-South, Range 70-West; thence north one-half mile; thence west one and one-half miles; thence north to the center of the west line of Section 24, Township 1-South, Range 71-West; thence east one mile; thence north through Boulder and along State Highway No. 7 to the Town of Lyons; thence in a north-westerly direction to the place of beginning, including service from such places or farms as abut upon or are adjacent to the highways abounding said described area or may be reached therefrom by private roads; excluding service in the $N\frac{1}{2}$ of $N\frac{1}{2}$ of Section 12, Township 1-North, Range 69-West, and in Section 6, Township 2-North, Range 68-West; also for the transportation of milk and cream and return of empty cans, from the following-described territory, to Boulder: within a fifteen mile radius of Berthoud, Colorado; transportation, on schedule, of bottled milk and dairy products from Boulder to Longmont, to Loveland, Berthoud, Johnstown, and Mead, Colorado, with return of empty containers.

Said certificate-holders now seek authority to transfer said PUC No. 616 to Pioneer Truck Lines, Inc., Boulder, Colorado.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, November 14, 1962, at 9:30 o'clock A. M., due notice thereof being forwarded to all parties in interest.

On November 5, 1962, 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, John A. Caporale, one of applicants herein, appeared and testified in support of the application, stating he and his wife, Evelyn J. Caporale, are the owners and operators of PUC No. 616; that they have entered into a contract, copy of which is on file with the Commission, to sell said operating rights to Pioneer Truck Lines, Inc., a Colorado corporation; that there is no outstanding indebtedness against said certificate.

Joseph B. Erni appeared and testified he is a stockholder in Pioneer Truck Lines, Inc., transferee herein, and that, together with Edward D. Burton, they are the sole owners thereof; that Articles of Incorporation of said corporation are on file with this Commission; that the corporation owns sufficient equipment to operate service required under PUC No. 616; that he has personally guaranteed any funds needed by said corporation to operate.

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 has sufficient equipment, and is financially able to render and continue operations under PUC No. 616; that there is no outstanding indebtedness against said operating rights; that transfer herein sought is in the public interest.

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 transferors herein are the owners and operators of PUC No. 616; that transferee herein is

qualified, financially and by experience, to continue operations under said operating rights; 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 John A. Caporale and Evelyn J. Caporale, doing business as "Pioneer Trucking Company," Boulder, Colorado, be, and they hereby are, authorized to transfer all their right, title, and interest in and to PUC No. 616 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Pioneer Truck Lines, Inc., Boulder, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That said transfer shall become effective only if and when, but not before, said transferors and transferee, in writing, have advised the Commission that said certificate has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of 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.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Reynold C. Anderson
Henry E. Salinas
Commissioners.

Dated at Denver, Colorado,
this 28th day of November, 1962.

ea

original

(Decision No. 59709)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF	}	<u>PUC NO. 1081</u>
HUGO L. WILLIS, SILVERTON, COLO-		
RADO.		

November 28, 1962

S T A T E M E N T

By the Commission:

On March 21, 1961, the Commission entered its Decision No. 56106, authorizing Hugo L. Willis, Silverton, Colorado, owner and operator of PUC No. 1081, to mortgage said operating rights to The Citizens State Bank of Ouray, Ouray, Colorado, to secure payment of the sum of \$5,978.67, as set forth in said Decision No. 56106.

On March 8, 1962, the Commission entered its Decision No. 58163, approving release of said Chattel Mortgage approved by said Decision No. 56106, and by the same Decision (No. 58163), authorized mortgage of said PUC No. 1081 to said The Citizens State Bank of Ouray, Ouray, Colorado, to secure payment of the sum of \$7,586.52, as therein set forth.

The Commission is now in receipt of a communication from The Citizens State Bank of Ouray, stating it had renewed chattel mortgage of PUC No. 1081, in the amount of \$8,046.57, and requesting Commission approval thereof.

F I N D I N G S

THE COMMISSION FINDS:


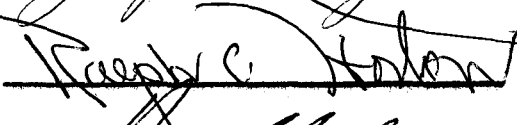
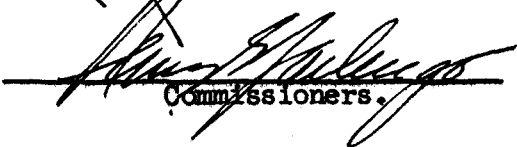
That said request should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Hugo L. Willis, Silverton, Colorado, be, and he hereby is, authorized to mortgage all his right, title, and interest in and to PUC No. 1081 to The Citizens State Bank of Ouray, Ouray, Colorado, to secure payment of the sum of \$8,046.57, as set forth in the Statement preceding, which is made a part of this Order, by reference.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 28th day of November, 1962.

mls

original

(Decision No. 59710)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HAROLD BARRON, HERMAN SCHWARTZ AND)
FELIX D. LEPORE, DOING BUSINESS AS)
"IDEAL CAB COMPANY," 822 MAJESTIC)
BUILDING, DENVER, COLORADO, FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY TO OPERATE A TAXICAB)
SERVICE IN DENVER, COLORADO, AND A)
SEVENTEEN MILE RADIUS THEREOF.)

APPLICATION NO. 18037

November 28, 1962

Appearances: Felix Dominic Lepore, Esq.,
Denver, Colorado, for
Applicants.

S T A T E M E N T

By the Commission:

Heretofore, application was filed with the Commission by
the above-styled applicants, seeking a certificate of public conven-
ience and necessity to render taxicab service.

The Commission has now been advised by Attorney for Appli-
cants herein that said Applicants no longer desire to prosecute said
application, and dismissal thereof is requested.

F I N D I N G S

THE COMMISSION FINDS:

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

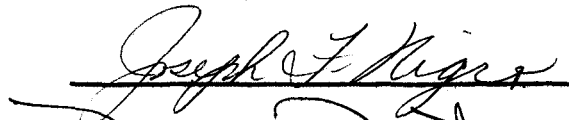
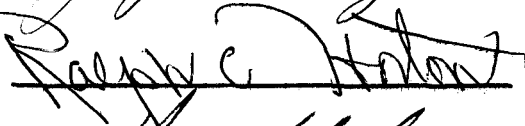

O R D E R

THE COMMISSION ORDERS:

That Application No. 18037 be, and the same hereby is, dis-
missed, upon request of Applicants herein.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 28th day of November, 1962.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JACOB E. ECKHARDT, DOING BUSINESS AS)
"ECKHARDT TRUCKING COMPANY," 739)
FRANCIS STREET, LONGMONT, COLORADO,) APPLICATION NO. 19444-PP-Extension
FOR AUTHORITY TO EXTEND OPERATIONS)
UNDER PERMIT NO. B-3672.)

November 28, 1962

Appearances: Jacob E. Eckhardt, Longmont,
Colorado, pro se.

S T A T E M E N T

By the Commission:

Heretofore, Jacob E. Eckhardt, doing business as "Eckhardt Trucking Company," Longmont, Colorado, was granted a Class "B" permit (No. B-3672), authorizing operation as a private carrier by motor vehicle for hire, for the transportation of:

horses between points within a 25-mile radius of Estes Park, Colorado, and from and to points within said radius to and from other points in the State of Colorado;

stone from quarries within a radius of 10 miles of Lyons, Colorado, to points within a radius of 50 miles of Lyons, Colorado;

forest and sawmill products from forests and sawmills within a 25 mile radius of Lyons to points within a 50 mile radius of Lyons, Colorado; cinder blocks from Hygiene, Colorado, to points within a 25 mile radius of Lyons, Colorado; and coal from northern Colorado coal fields to Lyons; no town-to-town service except from Lyons or from Hygiene, Colorado. Include the right to transport stone from quarries within a radius of 15 miles of Lyons, Colorado, to any point in the State of Colorado, with return from delivery points to the quarries of defective or refused shipments;

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 railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, said operations to be limited to the use of dump trucks, only;

(1) Cinder blocks, from Boulder to Denver, and

(2) Drill bits, repair parts, and machinery weighing 4,000 pounds or less, between Denver on the one hand, and, on the other, quarries located in Boulder County and Larimer County, and between quarries located in Boulder County and Larimer County;

light-weight block and concrete block, from plant of Boulder Block, Inc., located at Boulder, Colorado, to points within the following-described area: on the west, the Continental Divide; on the north, the Colorado-Wyoming State Line; on the east, the west boundary line of Morgan County; and on the south, an east-west line through Castle Rock, Colorado.

Said permit-holder now seeks authority to extend operations under said Permit No. B-3672, to include the right to transport light-weight block, and cinder block, from plant of St. Vrain Block Company, located at Longmont, Colorado, to points within the following-described area: on the west, the Continental Divide; on the north, the Colorado-Wyoming State Lines; on the east, the west boundary line of Morgan County, and on the south, and east-west line through Castle Rock, Colorado.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, November 14, 1962, at 9:30 o'clock A. M., due notice thereof being forwarded to all parties in interest.

On November 5, 1962, 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 that he presently is transporting cinder blocks from Boulder, under Permit No. B-3672; that St. Vrain Block Company, of Longmont, Colorado, has requested him to file an application for authority to serve them; that there is a present need for said service; that he has a 1955 Chevrolet Tractor, with a flat-bed trailer, and a 1958 Chevrolet flat-bed truck, suitable for the proposed operation; that he has sufficient net worth and operating experience to render said proposed extended 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 herein is a fit and proper person, has sufficient equipment, and is financially able to render the proposed extended service herein sought; that there is a presently a need for said operation; 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 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 operating in the territory sought to be served by applicant; that applicant herein 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-3672, as set forth in the Order following.

O R D E R

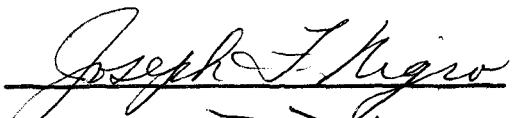
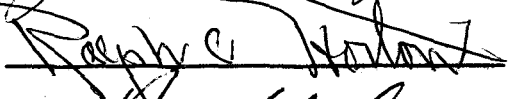

THE COMMISSION ORDERS:

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

That Jacob E. Eckhardt, doing business as "Eckhardt Trucking Company," Longmont, Colorado, be, and he hereby is, authorized to extend operations under Permit No. B-3672, to include the right to transport light-weight block, and cinder block, from plant of St. Vrain Block Company, located at Longmont, Colorado, to points within the following-described area: on the west, the Continental Divide; on the north, the Colorado-Wyoming State Line; on the east, the west boundary line of Morgan County, and on the south, an east-west line through Castle Rock, 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




Commissioners.

Dated at Denver, Colorado,
this 28th day of November, 1962.
mls

IN THE MATTER OF THE APPLICATION)
OF COLORADO-UTE ELECTRIC ASSOCIA-)
TION, INC., MONTEROSE, COLORADO,)
FOR AN ORDER AUTHORIZING IT TO EXECUTE)
A NOTE IN FAVOR OF THE UNITED STATES)
OF AMERICA.)
- - - - -

APPLICATION NO. 19477
Securities

S T A T E M E N T

By the Commission:

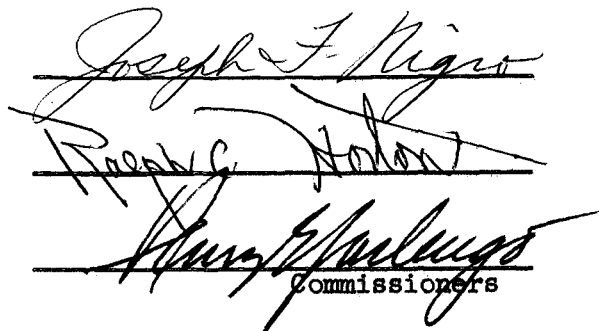
Upon consideration of the application of Colorado-
Ute Electric Association, Inc., a corporation, in the above styled
matter:

O R D E R

THE COMMISSION ORDERS:

That a public hearing be held, commencing on
December 10, 1962, at 2:00 o'clock P. M., 532 State Services Build-
ing, Denver, Colorado, respecting the matters involved and issues
presented in the proceeding. Any interested municipality or any re-
presentative 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 proceeding. Intervention
petitions should be filed with the Commission on or before
December 4, 1962, 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


Commissioners

Dated at Denver, Colorado,
this 28th day of November, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RIO GRANDE MOTOR WAY, INC. FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY WHICH WILL AUTHORIZE)
THE TRANSPORTATION OF RAILROAD)
FREIGHT IN LINE-HAUL SERVICE AS A)
SUBSTITUTE FOR SAID RAIL SERVICE)
BETWEEN DENVER, COLORADO, AND)
PUEBLO, COLORADO, SERVING INTER-)
MEDIATE POINTS.)
-----)

APPLICATION NO. 19208-Extension

November 30, 1962

Appearances: Ernest Porter, Esq., Denver,
Colorado, for Rio Grande
Motor Way, Inc.;
Edward T. Lyons, Jr., Esq.,
Denver, Colorado, for Red
Ball Motor Freight, Inc.;
William J. Donlon, Esq.,
Denver, Colorado, for General
Chairman's Association, D&RGW, for
Brotherhood of Maintenance of Way
Employees, Brotherhood of Loco-
motive Engineers, Brotherhood of
Railroad Trainmen, Dining Car
Waiters and Attendants, Sheet
Metal Workers' International
Alliance, Brotherhood of Railway
and Steamship Clerks, Order of
Railroad Telegraphers, Order of
Railway Conductors and Trainmen,
American Train Dispatchers Associa-
tion, Railroad Yardmasters of America,
International Brotherhood of Black-
smiths, Dropforgers and Helpers,
Brotherhood of Locomotive Firemen
and Enginemen, Brotherhood of Rail-
road Signalmen of America, Switch-
men's Union of North America, Inter-
national Brotherhood of Electrical
Workers, Brotherhood of Railway Car-
men of America, International Associa-
tion of Machinists, International
Brotherhood of Firemen, Oilers, Helpers,
Roundhouse and Shop Employees;
Hubert Work, Denver, Colorado, for
Weicker Transfer and Storage Company;
Bennie Goldstein, Denver, Colorado, for
Goldstein Transportation and Storage, Inc.;
James A. Duffy, Denver, Colorado, for the
Duffy Storage and Moving Company.

S T A T E M E N T

By the Commission:

On May 18, 1962, Rio Grande Motor Way, Inc., hereinafter called "Motor Way," applicant herein, filed its application to extend its operations as a motor vehicle common carrier to transport rail freight moving on railroad bills of lading or waybills, and express between Denver, Colorado, and Pueblo, Colorado, and intermediate points, operating over U. S. Highways numbered 85 and 87, and to serve the off-route points of Fort Logan, Blakeland, Louviers, the Air Force Academy, Fort Carson, and Minnequa.

The Motor Way holds authority under Certificate of Public Convenience and Necessity, PUC No. 149 of this Commission, to transport general commodities, over regular and irregular routes within Colorado, in an area bounded generally by Grand Junction, Glenwood Springs, and Denver on the North, Colorado Springs, Pueblo, and Walsenburg on the East, Alamosa and Durango on the South, and Montrose and Delta on the West. It is authorized to serve most intermediate and certain off-route points. The Denver and Rio Grande Western Railroad Company, hereinafter called "Rio Grande," requested the Motor Way to furnish a substituted service, viz., Motor Vehicle Common Carrier service over the highway for common carrier service over rails for the transportation of railroad freight and express.

Red Ball Motor Freight, Inc., hereinafter called "Red Ball," filed on July 23, 1962, its protest in opposition to the titled application. It is the prayer of Red Ball that the Commission make and enter an order denying the instant application in its entirety. Red Ball is authorized by Certificate of Public Convenience and Necessity No. 8 to transport, as pertinent hereto, freight and express, between Denver and Trinidad, Colorado, over U. S. Highways numbered 85 and 87, all intermediate points and certain off-route points.

Weicker Transfer and Storage Company, Goldstein Transportation and Storage, Inc., and Duffy Storage and Moving Company, appeared at the hearing as protestants. Numerous Brotherhoods, Orders, Associations

of employees, as set forth in the appearance list hereof, also appeared at the hearing as protestants.

The matter was set for hearing, and heard, August 3, 1962, at ten o'clock A. M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, and taken under advisement.

During the course of the hearing, a motion was made by the applicant to amend its application to be restrictive to LCL shipments, which, in this instance, shall mean loads not to exceed a maximum of 5,000 pounds. There were no objections to the motion, and upon the motion to amend being granted, the protests of Duffy Storage and Moving Company, Weicker Transfer and Storage Company, and Goldstein Transportation and Storage, Inc. were withdrawn.

The Traffic Manager for applicant testified that Motor Way had authority to perform the service, for which the application was made, beginning in the middle 1940's until about 1951. In this connection, by Decision No. 19009, dated June 11, 1942, Application No. 5898 of Motor Way for a certificate of public convenience and necessity to operate trucks for the transportation of freight in line-haul and pick-up and delivery service auxiliary to or supplemental of rail service of the Denver and Rio Grande Western Railroad Company, Wilson McCarthy and Henry Swan, Trustees, between stations on said railroad only between Denver, Colorado, and Salida, Colorado, and intermediate points. Our Order therein provided:

"That the public convenience and necessity require the motor carrier service of applicant, Rio Grande Motor Way, Inc., for the duration of the War Emergency, only, for the transportation of freight, in interstate and intrastate commerce over U. S. Highways, Nos. 85 and 50, and State Highway No. 115 as an alternate route, in part, upon railroad bill of lading or waybill, and not otherwise, in line-haul and pick-up and delivery service auxiliary to or supplemental of the rail service of The Denver and Rio Grande Western Railroad Company between stations on said railroad company line, only, between Denver, Colorado, and Salida, Colorado, inclusive, which line substantially parallels said U. S. Highways Nos. 85 and 50, with the right to serve the off-highway points of Fort Logan, Louviers, Greenland, Camp Carson, Minnequa, and Chandler, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

"That applicant and said railroad company shall not hold out or represent to the public that Rio Grande Motor Way, Inc. is conducting motor vehicle transportation service for the movement of freight under the authority herein granted, and shall not publish local freight rates applying between said points for independent motor truck transportation, or establish joint rates with any motor vehicle carrier, and shall receive for transportation of freight under the authority here granted the local railroad freight rate now or hereafter published in tariffs on file with this Commission, less pick-up, delivery and terminal expense of the railroad company performed by applicant."

By our Decision No. 34504, dated March 31, 1950, Case No. 5016, titled "In Re Investigation of Temporary Authorities Issued by The Public Utilities Commission During World War II, and a Declaration of Time Limit of Said Authorities," it was ordered that:

"2. That the phrases 'for the period of the war;' 'for the duration of the war;' 'for the duration of the National Emergency;' and any and all like phrases used in orders of the Commission, shall be construed as applying generally to the period of hostilities during World War II rather than the period prior to the signing of peace treaties.

"3. That for the purpose of determining a definite expiration date for all authorities limited in time by the aforesaid phrases (plus a period of three or six months), April 1, 1950, shall be the end of the 'period of war,' the 'duration of the war,' or the 'National Emergency,' and that on April 1, 1950, the winding-up period of three or six months shall begin to run on all such authorities, or authorities limited in time by similar phrases and conditions.

"4. That all authorities limited in time by phrases as aforesaid, shall terminate, expire, and come to an end three months after April 1, 1950 (being July 1, 1950), or six months after April 1, 1950 (being October 1, 1950), or within such other time as may be limited by the order granting such authority, unless prior to the expiration of said winding-up periods, application shall have been made, and orders shall have been issued by the Commission, altering, extending, amending, or making permanent all such temporary authorities."

Applicant's witness testified further that Motor Way is now furnishing substitute service for the Rio Grande, as applied for, under temporary authority issued May 25, 1962; that the rail revenue, for the traffic handled in substitute service, was \$199.00; (Witness Burnaugh for the Rio Grande testified that the total freight revenue derived from freight transported in the substituted service of Motor Way during the period May 31, 1962, through July 23, 1962, was \$191.69,

weight 18,231 pounds); that no additional equipment would be required to handle the present volume of traffic; that no substantial additional expense would be involved to Motor Way in the handling of the indicated volume of traffic; and that the applicant is in a financial position to acquire additional equipment if it is needed.

Motor Way's witness testified on cross-examination that the applicant is "one hundred per cent owned by the railroad" (Denver and Rio Grande Western Railroad Company); that Motor Way has terminals at Denver, Colorado Springs and Pueblo; that his company does not solicit any business, and that it would perform any service authorized by its certificate.

The assistant to the vice-president of traffic for the Rio Grande, testified that the Rio Grande transported intrastate freight by rail between Denver and Pueblo, but to the intermediate points between Denver and Pueblo it uses the Motor Way in substitute service. The witness further testified the substitute operation of the Motor Way has been progressing since about 1929 where their service could be used to substitute for rail, save rail equipment, provide the patrons in the territory a better service than the rail could provide; that the Rio Grande is availing itself of the expedited service of substituting Motor Way for rail for either all or part of the service to and from points involved in the application under the temporary authority held by Motor Way; that freight for such points, when moving via rail, would be loaded in a rail car and some train stopped at the points intermediate to unload it; that during the period May 31, 1962, through July 23, 1962, the total weight involved was 18,231 pounds and the total freight revenue derived from it was \$191.69; that said volume of traffic would indicate about the volume for a number of years and that it would be about substantially the same as it always was; that a rail car which would be used in performing service between the points involved in the application would cost in the neighborhood of

\$10,000, and that the Rio Grande earnings on average carload traffic would be greater than those of the LCL traffic here involved, time in transit considered; that the service of Motor Way has been satisfactory to the Rio Grande; that no complaints have been received from Rio Grande shippers concerning Motor Way substituted service; that occasional complaints were received from shippers because of slow rail service where cars were set out or handled in train service; that the public convenience and necessity is better served by a substitute service as proposed between points involved here than an all-rail service as the substituted service provides a daily service which when handled by rail cannot be done; that Motor Way and Rio Grande have freight terminal space common to both at Colorado Springs and Pueblo, and that terminal facilities at Denver are adjoining; that Motor Way performs pick-up and delivery service for the Rio Grande at Colorado Springs and Pueblo; that Rio Grande had not tendered the subject traffic to an authorized motor carrier for transportation to any of the points involved in the application; that such traffic could be turned to protestant Red Ball, but that it would mean segregation of a small amount of freight for Red Ball to handle and that it would have to be separated from interstate and other traffic now given to Motor Way; that all traffic moving within the involved area would be rail freight transported only on rail bills of lading and waybills; and that substituted service via Motor Carrier would enable the Rio Grande to provide daily service and to perform the required transportation service more economically than it can do so by the use of rail cars and trains.

The terminal manager for protestant Red Ball testified that his company was authorized under certificate PUC No. 8, to conduct operations in the transportation of commodities generally between Denver and Pueblo, serving all intermediate points and certain off-route points; that operations are being actively conducted at the present time under said certificate; that terminals are maintained at

Denver, Colorado Springs and Pueblo; that Red Ball has equipment for over the road transportation and pick-up and delivery units for the transportation of freight at and between said terminals and between said terminals and points intermediate thereto; that additional equipment is available in connection with the operation involved in this proceeding; that shipments weighing 5,000 pounds or less are actually transported at the present time between Denver and Pueblo and intermediate points; that approximately three schedules, each, a night are operated to Colorado Springs and Pueblo; that shipments of 5,000 pounds or less are solicited daily by salesmen in Denver, Colorado Springs and Pueblo; that a diversion of the type of traffic involved in this proceeding would adversely affect his company's operation; and that Red Ball holds itself forth to provide the transportation of shipments 5,000 pounds or less to all points it is authorized to serve within the scope of the application.

The Supervisor of Complaints and Investigation for the Commission was subpoenaed and testified that his department had undertaken an investigation of the hauling of LCL shipments by the Motor Way at the request of the Brotherhoods. Official notice of the report of the investigation was taken by the Commission upon request of counsel for the various Brotherhoods.

The general chairman of the Brotherhood of Railroad Trainmen appeared in opposition to the instant application at the request of the General Chairmen's Association - D&RGW, in behalf of the organizations listed under the heading of appearances hereto. This witness testified that if the petition is granted, it would no doubt result in further loss of employment to employees of the railroad; that the loss of express revenues would greatly decrease the earnings of two Rio Grande passenger trains, and that the best interest of the public cannot be served by granting the petition.

An elected officer of the Brotherhood of Railway Clerks concurred in the testimony given by the previous witness.

Applications similar to that before us here have been filed and certificates of public convenience and necessity granted to conduct a substituted truck for rail service auxiliary to and supplemental of rail service. See--

Rio Grande Motor Way, Inc. Application No. 5463,
Decision No. 16188, decided November 15, 1940;

Rio Grande Southern Railroad Co. Application No.
3859-B and 3859-BB, Decision No. 17841,
decided October 31, 1941;

Rio Grande Motor Way, Inc. Application No. 5898,
Decision No. 19009, decided June 11, 1942;

Santa Fe Trail Transportation Co. Application No.
8849, Decision No. 30202, decided April 3, 1948;

Union Pacific Railroad Company Application No. 9912,
Decision No. 33096, decided July 18, 1949.

In our Decision No. 16188, we said:

"We are of the opinion that it is not necessary to discuss the evidence here involved, and the law applicable thereto at length. This is not the usual situation where one applies for a certificate of public convenience and necessity to perform motor vehicle service in territory satisfactorily served by protestant. We here have an application by a wholly owned subsidiary of a railroad company to haul freight as a substitute or as auxiliary to rail service. We believe that the evidence shows, and protestant does not contend, that handling of railroad freight by motor vehicle is in the public interest. Faus' contention is that it should furnish that service. Similar applications have been fully considered, and the question resolved in favor of granting authority sought, by the Interstate Commerce Commission in many similar situations. We believe the reasoning in said decisions is sound, and that the authority here sought should be granted. (See Pennsylvania Truck Lines, Inc., 1 Federal Carriers Cases, Page 8, and 1 Federal Carriers Cases, 33; Indiana Railroad, 1 Federal Carriers Cases, 368)."

The order granted applicant, Rio Grande Motor Way, Inc. authority to transport freight between Alamosa, Colorado, and Antonito, Colorado, and all intermediate points, viz: U. S. Highway 285, subject to certain conditions and limitations to assure that the service would be limited to that which was auxiliary to or supplemental of, rail service of the Denver and Rio Grande Western Railroad.

We quote from Decision No. 19009, reading as follows:

"Here, as in the two applications mentioned, railroad is not seeking 'to enter the field of competition with established motor carriers in this area as a motor carrier, or on the same footing as would an applicant who would have to solicit business from the shippers therein located, and who, by the acquisition of any business, no matter how small, would be taking away from another carrier some part of its business.' Railroad is required by O.D.T. Order No. 1 to make changes in its method of handling l.c.l. freight and, so far as the record discloses, l.c.l. freight has been adequately handled in the past. And, viewed from the shipper angle alone, service by motor carrier may not be more expeditious or satisfactory than the rail service has been. But if freight in the future is handled by the railroad under restrictions of O.D.T. Order No. 1, service probably will be slower and less satisfactory than past rail service or contemplated motor service. It is true that Weicker Transfer and Storage Company and Southwestern Transportation Company probably can handle movement of freight as well as Motor Way. But, obviously, on account of railroad's sole ownership and control of Motor Way, Motor Way will coordinate the truck operations proposed in this application with the rail operations of the railroad company more satisfactorily than where the railroad seeks to coordinate its operations with that of a competing truck company. While we do not believe that agents of Weicker or Southwestern would solicit business of railroad, said customers would know that freight was being handled by truck companies, and it might, in the end, mean loss of business for the railroad. After all, primarily, the railroad is trying to retain its business, so that when the volume movement of war freight is over, it may have the freight involved in this application returned to it. The Commission always has taken the view that continuance of rail service is essential. While motor service also is essential, and have proven its worth in the emergency, movement of freight in large volume, especially in view of the rubber situation which has developed and might again develop in another emergency, must be by rail.

"The same reasoning seems to be applicable to the movement of freight to the off-highway points of Fort Logan, Louviers, Greenland, Camp Carson, Minnequa, and Chandler mentioned in the application. We understand that they are points on the railroad.

"In the Motor Way and Rio Grande Southern decisions heretofore mentioned, we had occasion to quote from a number of I.C.C. decisions, which we again will refer to. In *Indiana Railroad, Bowman Elder, Receiver*, No. MC-48645 (Sub. No. 4) 1 Federal Carriers Cases, 475, the Interstate Commerce Commission granted the applicant railroad a certificate to operate as a common carrier without restrictions imposed by Decision 5. Among other things, it said:

'Protestants contend that the evidence does not disclose that existing motor carrier service is inadequate, and that the application should therefore be denied. We have in prior decisions stated that existing motor carriers should normally be accorded the right to transport all traffic which they can handle adequately,

efficiently, and economically as against any person seeking to enter the field. We do not believe, however, that the granting of the authority sought herein is fundamentally in conflict with that principle.'

"In considering another part of the same matter (Sub No. 3) 1 Federal Carrier Cases, 369, the Commission stated:

'In the considered case, however, applicant is not proposing to enter the field of competition with established carriers in this area on the same footing as would an applicant who would have to solicit business from the shippers therein located, and who, by the acquisition of any business, no matter how small, would be taking away from another carrier some part of its business. * * * Applicant already has an established clientele among shippers on the proposed line and the mere continuance of service now rendered these shippers, through a different form of transportation, will not aggravate the competitive situation now prevailing among established carriers in this area. * * * it is clear that the granting of the authority herein sought will not authorize an operation which will be unduly prejudicial to, or competitive with, other motor carriers operating in the same territory, but will merely maintain the same competitive situation which has existed for some time, and, at the same time, afford to the public a more modern, economical, efficient, and flexible service than that now provided.'

"To the same effect as the foregoing decisions, is the decision of the Interstate Commerce Commission in Kansas City Southern Transportation Company, Inc., Common Carrier Application No. MC-61438, 2 Federal Carrier Cases, 181. Division 5, in considering the matter, had authorized the issuance of a certificate, limited to service between all stations on the railroad generally where motor service was coordinated with prior or subsequent rail service. The Commission's decision eliminated the condition. The Commission stated:

'Upon further consideration we are of the opinion that the division gave insufficient weight to the fact that the railroad, as well as the independent motor carriers, has been and is furnishing service between the stations, but that between many of them the present means of railroad service, the way-freight train, is uneconomical and inefficient. This is the reason for coordinating truck service with the rail service, and as we have found (and as division 5 also found), public convenience and necessity require the increased economy and efficiency which will result from such substituted use of trucks. By the same

reasoning, however, public convenience and necessity require the substitution of truck for way-freight train service regardless of whether there is a prior or subsequent movement by rail. Such substitution is a part of the plan of coordination, and unless it can be accomplished, the full benefits in increased economy and efficiency which the public interest demands cannot be secured.

'It must be borne in mind, as above indicated, that in all of these cases the railroad has been and is transporting the traffic in question between its stations and is under obligation to continue to do so. What it is seeking is not to enter a new field of service but to substitute a more efficient for a less efficient means of service. In both its direct and its indirect effect such substitution is in the public interest. An illustration which will come readily to mind is the widespread substitution in recent years of busses for rail service by local transit companies. One competitive carrier has no vested right in the continuation by another of an inefficient method of operation, and we believe it to be neither the plicy of Congress nor the proper function of this Commission to retard any form of progress in transportation which will serve the public interest.'

"It would seem, under the circumstances now existing, that the railroad should be authorized to handle railroad freight between points heretofore served by it through its subsidiary, Rio Grande Motor Way, Inc. However, it does not follow that said substituted service necessarily should be continued after the emergency, although the proposed coordinated operations ordinarily would be more economical than present service, probably will be an improvement on that service, and will be in the public interest.

Our Order granting certain authority has heretofore been quoted. See pages 3 and 4 of this Statement.

Decision No. 32002 reads in part as follows:

"It is obvious that said company is in a position to, and will, coordinate the truck operation proposed in this application with the rail operation of the railroad company more satisfactorily than if the railroad were compelled to coordinate its operation with that of a competing company. There is no question in our opinion that the coordinated service proposed will be in the public interest. It does not mean the institution of an additional motor carrier service. In fact, the acquisition of the private carrier permits by The Santa Fe Trail Transportation Company, and subsequent restriction of service to service ancillary to and supplemental of parent company's rail service brought about a definite reduction in competitive service

offered by its predecessor. In effect, it removed principal competition of protesting carriers from the field. And, as pointed out in I.C.C. Decision mentioned, the granting of authority here sought does not turn upon or imply that common carrier service afforded by protestants to public, as such, is inadequate. It is not adequate as a supplemental rail service, and railroad should not be precluded from improving its rail service to the public.

"Other considerations mentioned in brief of applicant's counsel urged by applicant and relied upon by other commissions granting authority similar to that sought by applicant herein can be cited as persuasive.

"They are:

Usually no one carrier serves the entire rail route under consideration, so that unless the railway's affiliated motor carrier is used, the railway company would have to make arrangements with several different carriers.

Conflicts over the use and priority of trucks would arise.

The work load on the railway company's Claim and Accounting Departments would be disproportionately increased.

This would result in an inevitable disclosure of sources of traffic to competing motor carriers.

The railway company would have no control over the truck drivers.

The arrangement would be a possible source of labor disputes with the railway company's own drivers.

The independent carriers could not readjust their schedules to the rail schedules.

The independent carriers would have their own facilities and would not or could not use joint facilities with the railway company.

Common management means better coordination than could be obtained by arms length contracts with several independent carriers, and

The Commission cannot compel coordinated rail-truck service with independent carriers.

Our Order provides:

"That the public convenience and necessity require the motor vehicle common carrier service of applicant, The Santa Fe Trail Transportation Company, for the transportation, on schedule, of commodities, generally, in intrastate and interstate commerce by motor vehicle between Denver and Holly and the Colorado-New Mexico state line, via U. S. Highway 85-87, Denver to Colorado-

New Mexico State line and U. S. Highway 50, Pueblo to Holly, with the right to serve from, to and between all points intermediate on said route between Denver, Holly and Colorado-New Mexico state line via Pueblo, served by The Atchison, Topeka and Santa Fe Railway Company on its lines substantially paralleling said highway route between Denver, the Colorado-New Mexico state line and Holly (specifically excluding service from, to or between points intermediate to but not including Pueblo and Trinidad on U. S. 85-87); and the right to serve off-highway-on-rail points of Devine, Avondale and Boone via U. S. Highway 96 and State Highway 209 to junction of said State Highway 209 with U. S. Highway 50, and Caddoa via State Highway 266 from junction said State Highway 266 with U. S. Highway 50, and Wiley via State Highway 169 from junction said State Highway 169 with U. S. Highway 50 and/or via U. S. Highway 287 from junction with U. S. Highway 50, subject to the following conditions:

"1. The service by motor vehicle to be performed by applicant shall be limited to service which is auxiliary to, or supplemental of, railroad service.

"2. Applicant shall not serve, or interchange traffic at any point not a station on a rail line of The Atchison, Topeka and Santa Fe Railway Company or a rail subsidiary thereof, a 'station' being any station or depot facility adjacent to or reasonably near railroad tracks where less-than-carload freight normally is unloaded from or loaded on or into freight cars or where such freight ordinarily is received from consignees or made available to consignees within depot grounds.

"3. Shipments transported by applicant shall be limited to those which it receives from, or delivers to, the railway under a through bill of lading."

(4 and 5 omitted here as not pertinent to our purpose)

We said in Decision No. 33096:

"The foregoing is a resume of all the evidence before the Commission, and it appears to us that thereunder applicant has established that public convenience and necessity require its proposed service. It is a fair commentary to say that the protestants' evidence failed to negative the evidence of applicant that its proposal is for the modernization of its l.c.l. service, with consequent benefits to rail patrons by the speeding up of service, release of freight cars, efficiency, and economy. The protestants, for the most part, indicated a desire to cooperate with the railroad in furnishing their equipment for the supplemental service, but this presents an insuperable problem, because the Commission cannot require the railroad to supplement its service by use of trucks which it does not own or control and to do so would militate against the efficiency and economy proposed."

On Page 19 of the aforementioned decision, we quoted from a decision of the Interstate Commerce Commission in Union Pacific Railroad Company Extension-Property, MC 102745 Sub 3, 49 MCC 862, decided March 11, 1949, partially as follows:

"The proposed operations are similar in purpose to operations considered and approved in numerous prior reports. In substance they contemplate the use of motor vehicles in lieu of peddler cars for the handling of merchandise traffic between the smaller stations on the rail line, on the one hand, and break-bulk or concentration points, on the other. No all-motor service independent of the railroad is proposed and the application does not rest upon the theory that there is any deficiency in the all-motor service provided by existing motor carriers. Except to the extent of about one percent of the traffic involved, no all-motor service even for the movement of rail traffic is proposed. Applicant seeks merely to improve the present rail service on less-than-carload traffic from and to its way-stations, a service that is now slow, inefficient, and expensive; and one that is satisfactory neither to it nor to the shipping public. The authority sought will not enable applicant to enter a new field, but will merely permit the substitution of a new and improved form of service for the present inefficient rail service; one that will provide a faster and more economical and efficient means for handling the merchandise traffic which it now transports and which it is obligated to continue to transport. We have frequently expressed the view that it is not the intent of the Interstate Commerce Act to vest in one competing carrier or class of carriers the right to require the continuation by another of an inefficient method of operation.

"Although many of the interveners express a willingness to provide the desired service for applicant, it is clear that we have no power to require the carriers to enter into, or agree upon the terms of, the arrangements that would be necessary for the establishment of through routes and joint rates. Even if voluntarily essayed by applicant, the record negatives the possibility that applicant could attain the efficiency of operation through the use of independent carriers, which is the underlying purpose of the instant application. It would be required to enter into separate arrangements with at least 15 carriers in order to serve the territory in question, and would still be without service at some of its stations. At the same time it would be in competition with these carriers for traffic moving to and from such points, and presumably its traffic would move in the same vehicles along with that of the motor carriers. Interveners generally serve many points not involved here, and in all probability they would encounter difficulty in coordinating their schedules with those of applicant without disrupting their own service to and from off-rail points, and possibly also at the points they commonly service. Also, as seen, applicant has had experience in the use of independent motor carriers, and has not found the results satisfactory in any major operation

except one. While the evidence is contradictory as to whether responsibility for the failure of these efforts is attributable to applicant or to the motor carriers, or both, it nevertheless serves to demonstrate the practical difficulty of coordinating the operations of two or more independent carriers into a single, efficient, and frictionless service. Where the motor-carrier competitor serves the same points as applicant, a basic, indeed normal, conflict of interest between them is inevitable. The interest of both in the same traffic is irreconcilable; and the primary concern of the motor carrier with its own traffic would militate against any assurance on the part of applicant that it will be able to afford its shippers a regular and dependable service. Furthermore, the territorial scope of the proposed plan is so broad that a mere interchange of traffic for joint movement over the respective routes of the 15 connecting motor-carriers would tend to defeat the very essence of applicant's proposal which, as seen, is to provide an integrated and scheduled rail-motor service on shipments exclusively in its custody and control and for which it is responsible.

"Everything considered, the conclusion is warranted that a public need exists for the proposed service; that the useful public purpose to be served thereby could not be achieved as well by the use of existing motor carriers as under the proposed plan; that as a practical matter accomplishment of the plan requires a unity of interest between the carrier performing the respective rail and motor portions of the hauls; and, finally, that the entire operation can best be conducted under a common management and control.

"We do not believe that authorization of the proposed service will have a materially adverse effect on the existing motor carriers. The service to be rendered is but a substitution of motor for rail facilities in the fulfillment of applicant's undertaking to transport, a substitution of a more efficient for a less efficient means of service. It involves rail traffic which applicant is now transporting and most of which, at least, it will continue to transport irrespective of whether the instant application is granted or denied. The traffic will move at rail rates, on rail billing, and between rail depots. Improvement of the rail service may, of course, divert some traffic to the railroad, but such diversion will not likely be significant and may largely be avoided if there is improvement in the existing motor services of which a number of witnesses were critical. Little, if any, adverse effect should be felt by the existing carriers if the authority granted is restricted so as to assure that the motor service shall be truly auxiliary to, or supplemental of, the rail service. To the extent such carriers may now be performing substituted service for applicant, and are replaced by the proposed service, the effect may be somewhat more definite. Some of these carriers are not protestants. As to the others the public benefit must be weighed against the disadvantage to them, and the public should not be deprived of an improved service merely because it may result in some diversion of traffic from these carriers. The benefit resulting to the public clearly will outweigh

any adverse effect upon them. The proposed operations should be authorized to the extent that they will be a bona fide auxiliary or supplementary service to applicant's rail service."

By our order therein, the applicant was authorized to transport as a common carrier by motor vehicle, general commodities, with exceptions, in intrastate and interstate commerce between specified points and over specified routes, with the service by motor vehicle to be performed by applicant limited to service which is auxiliary to or supplemental of railroad service, subject to certain conditions.

The following is quoted from Columbia Motor Transport Company, Extension-Texas, No. MC 105146 (Sub No. 4), decided August 18, 1953, 62 MCC 813, 10 Federal Carriers Cases 32896, Injunctive relief denied plaintiffs in Central Freight Lines, Inc. et al v. United States of America, et al, United States District Court, Western District of Texas, Waco Division, May 29, 1956, 10 ICC P81074:

"In Kansas City S. Transport Co., Inc., Common Carrier Application, 10 M.C.C. 221 (1 Federal Carriers Cases P 7293) and 28 M.C.C. 5 (2 Federal Carriers Cases P 7683), hereinafter called the Kansas City Southern case, the general question of the extent to which railroad and railroad-controlled motor carriers should be authorized to engage in motor carrier operations was considered in greater detail. The policy established in the Barker case, supra, was approved, and the general restriction against any service except that which is auxiliary to or supplemental of train service, was amplified by the addition of several specific restrictions. * * * Thereafter, as the Commission pointed out in Rock Island M. Transit Co. --Purchase--White Line M. Frt., 40 M.C.C. 457 (5 Federal Carriers Cases P21, 125), 'every grant to a railroad or to a railroad affiliate of authority to operate as a common carrier by motor vehicle or to acquire such authority by purchase or otherwise should be so conditioned as definitely to limit the future service by motor vehicle to that which is auxiliary to or supplementary of train service.' The right to impose such conditions in the initial issuance of a certificate and to reserve such right in order to impose them as public convenience and necessity may direct, has been upheld by the Supreme Court. See Interstate Commerce Commission v. Parker, 326 U.S. 60 (4 Federal Carriers Cases P80, 221); and United States v. Rock Island Motor Transit Co., 340 U.S. 419 (8 Federal Carriers Cases P80, 630).

"In the countless cases which the commission has considered from the beginning of motor carrier regulations, substituted motor-for-rail service has always been viewed as an anomalous type of service, separate and distinct from other types of motor carrier operation. As was pointed out by division 5 in the Barker case, 1 M.C.C.101 (1 Federal Carriers Cases P7012), at page 111:

'Such coordination of rail and motor vehicle operations should be encouraged. The result will be a new form of service which should prove of much public advantage. Nor do we believe that the creation of this new form of service "will unduly restrain competition." On the contrary, it should have the opposite effect.' (*Italics supplied*).

"In this connection we think that restatement of certain portions of the Rock Island case, *supra*, is appropriate at this time. There the Commission said, at page 468, 469):

'Thus by the report of division 5 in the Barker case, by our report on reconsideration in the Northland-Greyhound case, by the report of division 5 in the Kansas City Southern Case, and by numerous other reports, in proceedings under both sections 207 and 213, which followed the Barker and Kansas City Southern reports, our administrative construction of section 213 and of the declared policy of Congress as it affected proceedings under both sections 207 and 213 was firmly established when the Transportation Act, 1940 was before the Congress. In these circumstances, the re-enactment of section 213 as a part of section 5 and the restatement of the national transportation policy without any change suggesting any dissatisfaction with our established administrative construction thereof must be taken as a definite approval thereof, which speaks strongly against any significant departure therefrom in the future.' (*Italics supplied*).

"In a long line of reports, too numerous to require citation, we have consistently recognized that the motor vehicle can be used as an auxiliary or adjunct to railroad service, particularly less-carload service, and that the Congress intentionally left the way open, with our approval, for the legitimate and proper use of motor vehicles as a subordinate instrumentality for the improvement of rail transportation service. This interpretation of the congressional intent has been judicially affirmed and is no longer susceptible of serious argument. Pertinent in this respect is the following expression of the Supreme Court in *Interstate Commerce Commission v. Parker*, *supra*:

'When Congress directed that the act should be administered to preserve the inherent advantages of each mode of transportation, it is abundantly clear that it was not intended to bar railroads from the operation of the off-the-rail motor vehicles. * * *

* * *The alternative to the existence of this discretion (to conclude that the public will be better served by the rail operation than by use of the available motor carrier facilities) is that the language of the Interstate Commerce Act, Part II, forbids the granting to railroads of a certificate of convenience and necessity for the operation of motor trucks, under specially limited certificates, when there are certificated motor carriers, independent of railroad authority or supervision, with whom arrangements for the service might be made by the rail carriers. There is no such prohibition in terms. Any such implication is negated by the discretion to grant certificates conferred on the Commission by the Act.'

"02 Adequacy of Existing motor carrier service-- Use of independent--Carriers.-- Although it is true that in exercising its discretion to grant substituted motor-for-rail authority, the Commission must consider the disadvantage to the public of a serious impairment of independent motor carrier service, the showing that such a result will develop must be clear. In other words, before an application for a true substituted service may be denied, there must be established that the independent motor carrier service will be endangered or impaired to an appreciable extent. The mere fact that some traffic might be attracted to the substituted service is not controlling. This is in keeping with the many cases, starting with the Kansas City Southern case, which have held that notwithstanding the existence of motor carriers in the territory served by the proposed routes and the fact that they could and are willing to perform some of the proposed operations denial of the application is not warranted without establishment of a real danger to the effective operation of existing motor carriers. It has been consistently held that where the evidence is not clear-cut that any danger which may exist can be lessened or obviated by the imposition of appropriate conditions. (For a case on this subject see Seaboard Airline Railroad Company Extension of Operations--Gaston--Garnett, S. C. 47 M.C.C. 433 (6 Federal Carriers Cases P 31, 369)).

"In line with this policy it should be noted that in the Parker case, supra, the Supreme Court sustained a grant of authority to a rail-affiliated motor carrier to operate as a common carrier by motor vehicle in the performance of a substituted truck-for-rail service. In so doing the Court overruled an argument that such a grant could not properly be made without proof, which was lacking, that presently operating certificated independent motor common carriers could not adequately serve the railroad's need.

"The general proposition that railroads proposing to establish coordinated rail and truck service should be required to use the service of existing motor carriers so far as available was discussed at length by the Commission in the report on oral argument and reconsideration

in the Kansas City Southern case and related cases, and a conclusion was reached contrary to that proposed by protestants here. Since the decision in the last-cited case we have generally declined to compel a railroad against its will to look to independent motor carriers for any needed substituted service. This policy has been predicated on the theory that the independent carrier, having its own traffic and shippers, would first be a competitor and secondarily a servant.

"In the light of the foregoing, the Commission, following the well-established precedents, has consistently approved a grant of authority, or the acquisition of authority by purchase, which would enable the performance of a substituted service which is auxiliary to or supplemental of rail service. In each instance, the finding that the operation was consistent with the public interest, was predicated upon the showing that the railroad would be enabled by the use of motor service to render an improved service to the public, to effect operating economies, and to retain its less-than-carload traffic. Where such a showing was made, notwithstanding the availability of independent motor carriers, institution of the substituted operation has been authorized, so long as it could be effected without unduly affecting the ability of existing carriers to operate. The imposition of appropriate conditions has usually been found to satisfy this latter requirement."

"03. Competing carriers considered--Effect on existing service.-- It is the position of protestants that the institution of the proposed service would unduly prejudice them and impair their ability to perform the operations and discharge the obligations they have assumed in providing the facilities to serve the public. There are many points involved which have very small populations and do not receive great quantities of freight from any place and there is very little out-bound traffic from these towns to points outside the State. They point out that the motor carriers that are now serving these small towns need the traffic to and from the larger points to sustain their operation to the smaller towns because they have difficulty in obtaining sufficient revenue to maintain their schedule to serve such points. They hold that any decrease in tonnage or diversion of traffic now being transported by the existing motor carriers will have a material effect upon their ability to maintain their local service.

"We do not believe that authorization of the proposed service will have a materially adverse effect on the protesting motor carriers. The service to be rendered involves a substitution of motor for rail facilities. The traffic to be handled by applicant is rail traffic which the railroad is now transporting and most of which it will continue to transport irrespective of whether the instant application is granted or denied. It will substitute a more efficient for less efficient means of service. It must also be remembered that over a period of time the railroad has lost a substantial amount of traffic and a grant of authority will arrest the diminution of this tonnage.

"In addition, we are convinced that although improvement of the rail service may divert some traffic to the railroad, such diversion is not likely to be significant. Moreover, little, if any, adverse effect should be felt by the protesting motor carriers if the authority granted is restricted so as to assure that the motor service shall be auxiliary to, or supplemental, of rail service.

"06. Motor-for-rail rights--Public convenience and necessity--Elements--Applicant and protestants have submitted their evidence and contentions, the conflicting interests of each side must be appraised in the light of the paramount interest of the public in order to determine where public convenience and necessity lie. Protestants contend that the issues presented affect the whole future of the motor-carrier industry, specifically the ability of the present motor carriers in Texas to maintain their existing services. They urge that existing motor carrier service is adequate and that public convenience and necessity do not require the proposed service. Actually, the instant application, the same as most substituted motor-for-rail cases, is not founded upon a theory that there is a material deficiency in the service provided by the existing motor carriers. The proposed operations are designed solely to improve the railroad's present less-than-carload service to and from the 138 points it serves in Texas. The present rail service is admittedly slow, inefficient, expensive, and unsatisfactory to both the railroad and the shipping public. The authority sought will not enable the railroad through applicant to enter a new field, but, rather, will merely permit it to substitute for the present inefficient service a new form of service which will provide a faster, more economical, and more efficient means for handling the less-than-carload traffic it is transporting and which, despite protestants' view, it is obligated to continue to transport.

"As we said in our earlier discussion, such an improvement in service is distinctly in the public interest, provided that it can be accomplished without material adverse effect upon the operations of existing carriers. Protestant's evidence as to the economic effect of the proposed operations on the existing motor carriers to show that their operations would be endangered or impaired to any appreciable extent, notwithstanding the fact that some traffic might be attracted to the proposed rail-and-motor service. Whatever threat that there may be to existing motor carriers will be minimized by the imposition of appropriate key-point restrictions in respect of the various motor routes, the same as has been done in many similar cases."

"07. Use of competing motor carriers--Basic Conflict of interest--Effect.-- Opposing carriers express a willingness to provide the desired service for the Katy Railroad but it is clear that this Commission has no power to require the carriers to enter into agreements and arrangements that would be necessary. Moreover, to a large degree such use of independent motor carriers appears to be impracticable. The railroad would be required to enter into separate arrangements with a number of carriers with whom it would be in competition for traffic moving to and from common points. Where the motor carrier serves the same points as the Katy Railroad, a basic conflict of interest between them is inevitable. What the railroad desires and needs is a motor service that is exclusively in its custody and control.

"After carefully weighing applicant's evidence, on the one hand, against the opposing carriers' evidence, on the other, we conclude in the light of the long-established line of precedent cases, that the proposed motor-vehicle service is of a different character from that of the protesting motor carriers; that the proposed service would not be directly competitive with their services or unduly prejudicial to them; that the useful public purpose to be served thereby could not be achieved as well by the use of existing motor carriers as under the proposed plan; that this purpose can be served by applicant without endangering or impairing the operations of existing motor carriers contrary to the public interest; and that the proposed operations will serve a useful public purpose, responsive to a public demand or need."

The proposed service of Motor Way provides for a substitution of motor for rail facilities. The traffic to be handled is rail traffic which the rail is now transporting and most of which it will continue to transport irrespective of whether the instant application is granted or denied. It will substitute a more efficient for less efficient means of service and effect operating economies. Although improvement of rail service may divert some traffic to the railroad, such diversion will not significantly adversely affect the protestant.

F I N D I N G S

THE COMMISSION FINDS:

We, therefore, are of the opinion, and find, that the public convenience and necessity require the motor vehicle common carrier service of applicant, Rio Grande Motor Way, Inc., for the transportation, on schedule, of commodities, generally, restricted to shipments of rail

freight and express weighing 5,000 pounds or less, in intrastate commerce between Denver, Colorado and Pueblo, Colorado, via U. S. Highways Nos. 85-87, with the right to serve from, to and between all intermediate points on said routes, served by the Denver and Rio Grande Western Railroad Company on its line substantially paralleling said highway routes; and also, the right to serve off-highway-on-rail points of Fort Logan, Blakeland, Louviers, the Air Force Academy, Fort Carson and Minnequa, subject to the conditions and restrictions imposed in the Order following, which the Commission finds are in the public interest, and that certificate of public convenience and necessity, as hereinafter set out, should issue therefor.

O R D E R

THE COMMISSION ORDERS That:

The Statement and Findings be, and they are, hereby made a part hereof.

The public convenience and necessity require the motor vehicle common carrier service of applicant, Rio Grande Motor Way, Inc. for the transportation, on schedule, of commodities, generally, restricted to shipments of rail freight and express weighing 5,000 pounds or less, in intrastate commerce between Denver, Colorado and Pueblo, Colorado, via U. S. Highways Nos. 85 and 87, with the right to serve from, to and between all intermediate points on said routes, served by the Denver and Rio Grande Western Railroad Company on its line substantially paralleling said highway routes; and also, the right to serve off-highway-on-rail points of Fort Logan, Blakeland, Louviers, the Air Force Academy, Fort Carson and Minnequa, subject to the following conditions:

1. The service by motor vehicle to be performed by applicant shall be limited to service which is auxiliary to, or supplemental of, railroad service.
2. Shipments transported by applicant shall be limited to those which it receives from or delivers to the Denver and Rio Grande Western Railroad Company or the Railway Express Agency, Inc.

3. Applicant, the said railroad and express companies, shall not hold out or represent to the public that Rio Grande Motor Way, Inc. is conducting motor vehicle transportation service for the movement of freight and express under the authority herein granted, and shall not publish local freight rates applying between said points for independent motor truck transportation, or establish joint rates with any motor vehicle carrier.
4. All contractual arrangements between applicant and the railroad and express companies shall be reported to the Commission and shall be subject to revision if, and as the Commission finds it necessary in order that such arrangements shall be fair and equitable to the parties.
5. Such further specific conditions as the Commission in the future may find it necessary to impose, in order to restrict applicant's operations by motor vehicle to service that is auxiliary to, or supplemental of, railroad or express service, the Commission hereby retaining jurisdiction to enter such orders, if deemed necessary in the public interest,

and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

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

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.

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. Vignio
Raymond C. Holman
Samuel J. Edwards
Commissioners.

Dated at Denver, Colorado,
this 30th day of November, 1962.

ea

original

(Decision No. 59714)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WESTERN POWER & GAS COMPANY, PUEBLO,)
COLORADO, FOR A CERTIFICATE OF PUB-)
LIC CONVENIENCE AND NECESSITY TO EX-)
ERCISE RIGHTS UNDER A FRANCHISE)
GRANTED TO APPLICANT BY THE BOARD)
OF TRUSTEES OF THE TOWN OF CHERAW,)
IN OTERO COUNTY, COLORADO.)

APPLICATION NO. 19422

November 29, 1962

Appearances: J. W. Preston, Esq., Pueblo,
Colorado, and
Ross, McGowan, Hardies and
O'Keefe, Esqs., Chicago,
Illinois, by Melvin A.
Hardies, Esq., for Appli-
cant;
E. R. Thompson, Denver, Colo-
rado, and
J. M. McNulty, Denver, Colo-
rado, for the Staff of the
Commission.

S T A T E M E N T

By the Commission:

The above-entitled application was filed with the Commis-
sion on October 23, 1962, seeking authority from the Commission to
exercise franchise rights granted to Western Power & Gas Company by
the Board of Trustees of the Town of Cheraw, Otero County, Colorado.

The matter was set for hearing by the Commission, after due
notice to all interested parties, on Monday, November 19, 1962, in
the Hearing Room of the Commission, 532 State Services Building, Den-
ver, Colorado. At said time and place, the matter was duly heard by
the Commission and at the conclusion of the hearing, taken under ad-
visement.

Applicant is a public utility subject to the jurisdiction

of this Commission, engaged in the business of generating, transmitting, and distributing electrical energy generally, in the Counties of Pueblo, Otero, Bent, Crowley, El Paso, Fremont, Teller, and Custer, in the State of Colorado.

Applicant is a corporation organized and existing under the laws of the State of Delaware and has been, since May 1, 1961, duly authorized to do business in the State of Colorado. A copy of the authorization of Applicant to do business in the State of Colorado, duly certified by the Secretary of State of the State of Colorado, has heretofore been filed by the Applicant with this Commission.

Western Power & Gas Company is the successor in interest of Southern Colorado Power Company by virtue of a merger previously authorized by this Commission. The principal Colorado office and post office address of Applicant is Pueblo, Colorado.

Evidence disclosed that on June 26, 1962, the Board of Trustees of the Town of Cheraw granted a franchise to Applicant by virtue of Ordinance No. 54 entitled as follows:

AN ORDINANCE GRANTING TO WESTERN POWER & GAS COMPANY, ITS SUCCESSORS AND ASSIGNS, THE RIGHT AND FRANCHISE TO FURNISH THE TOWN OF CHERAW AND ITS INHABITANTS, ELECTRICITY FOR ILLUMINATING, HEATING, POWER AND OTHER PURPOSES, AND TO ERECT AND MAINTAIN A PLANT AND SYSTEM THEREFOR, AND GRANTING A RIGHT OF WAY OVER, UPON, ALONG, UNDER AND ACROSS THE STREETS, ALLEYS AND PUBLIC PLACES OF SAID TOWN FOR THE ERECTION OF POLES AND WIRES AND THE LAYING OF CONDUITS THEREFOR.

The term of the franchise is for a period of 25 years from and after its effective date. A copy of the franchise, marked Exhibit A, is attached to the application and offered in evidence at the hearing. Exhibit B, also offered as evidence at the hearing, was a copy of the acceptance by the Company of said franchise.

Applicant has been serving the Town of Cheraw with elec-

trical energy, and at the present time, it is serving 108 customers in the Town and 6 customers in the fringe area around the Town. It was estimated that the population of the Town to be about 173 and the population of the immediate fringe area adjacent to the Town to be about 24. Applicant is the only utility serving electrical energy in the Town and the area adjacent thereto. Applicant has invested in facilities at this time, approximately \$25,000, to render electric service in the Town in the territory immediately adjacent thereto, and estimates it will spend an additional \$8,000 during the life of the franchise as an addition to its capital investment to continue rendering this service.

It was evident from the testimony at the hearing that electric service as rendered by Applicant, is needed in the Town of Cheraw and the areas adjacent thereto and that the application sought, should be granted.

F I N D I N G S

THE COMMISSION FINDS:

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

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

That the Commission is fully informed in the matter.

That public convenience and necessity require the issuance of a certificate of public convenience and necessity to Applicant herein as set forth in the Order to follow.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require, and will require, the exercise by Western Power & Gas Company, of the franchise rights granted in and by Ordinance 54 of June 26, 1962, identified as Exhibit A, herein, and by reference made a part hereof, to furnish

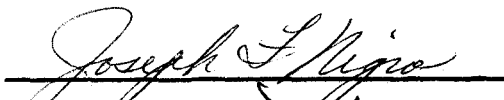
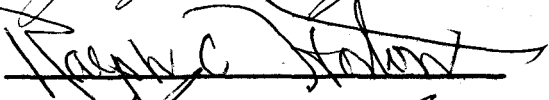

electricity in said Town and along the route of its transmission lines in the territory surrounding said Town, and for the extension of Applicant's facilities, lines, plant or system in the territory surrounding said Town, in accordance with the Public Utilities Act of the State of Colorado, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

That Western Power & Gas Company shall install, operate and maintain its electrical system and supply service in the designated area in accordance with its schedules of rates, rules and regulations now on file with this Commission, or as the same may be changed according to law and the rules and regulations of this Commission.

That Western Power & Gas Company shall continue to maintain its books and accounts in accordance with the Uniform System of Accounts as prescribed by this Commission, and shall always and at all times, comply with the Rules Regulating the Service of Gas and Electric Utilities as prescribed by this Commission.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 29th day of November, 1962.
mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JOHN CANACARI, DOING BUSINESS AS,)
"JOHN CANACARI PLUMBING COMPANY",)
4586 BRYANT STREET, DENVER 21, COLO-)
RADO.)
-----)

PERMIT NO. M-3890

December 6, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from John Canacari, doing business as, "John Canacari Plumbing Company", 4586 Bryant St. Denver 21, Colo. requesting that Permit No. M-3890 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-3890, heretofore issued to John Canacari, doing business as, "John Canacari Plumbing Company", 4586 Bryant St. Denver 21, Colo. be, and the same is hereby, declared cancelled effective August 2, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Holbert
Wm. E. Zwick
Commissioners

Dated at Denver, Colorado,

this 6th day of December, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
C.O.D. LAUNDRY AND DRY CLEANERS,)
INCORPORATED, 1177 MAIN AVENUE,)
DURANGO, COLORADO.)
-----)

PERMIT NO. M-8348

December 6, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from C.O.D. Laundry and Dry Cleaners, Inc., Durango, Colorado requesting that Permit No. M-8348 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8348, heretofore issued to C.O.D. Laundry and Dry Cleaners, Inc., Durango, Colorado be, and the same is hereby, declared cancelled effective November 30, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Norton
Commissioners

Dated at Denver, Colorado,
this 6th day of December, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
VIRGIL E. FLINT, DOING BUSINESS AS,)
"FLINT PLUMBING AND HEATING", P. O.)
BOX 2217, PUEBLO, COLORADO.)
-----)

PERMIT NO. M-10747

December 6, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Virgil E. Flint, doing
business as, "Flint Plumbing & Heating", Pueblo, Colorado
requesting that Permit No. M-10747 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10747, heretofore issued to Virgil E. Flint, doing
business as, "Flint Plumbing & Heating", Pueblo, Colorado be,
and the same is hereby, declared cancelled effective April 13, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Norton
Commissioners

Dated at Denver, Colorado,
this 6th day of December, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
TONY FLOREZ, 2639 LARIMER STREET,)
DENVER 5, COLORADO.)
)
)
-----)

PERMIT NO. M-12432

December 6, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Tony Florez,
Denver 5, Colorado
requesting that Permit No. M-12432 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12432, heretofore issued to Tony Florez,
Denver 5, Colorado be,
and the same is hereby, declared cancelled effective October 25, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Thomas C. Horton
Henry E. Zuckerman
Commissioners

Dated at Denver, Colorado,
this 6th day of December, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
SUPERIOR STATIONS, INCORPORATED,)
3RD STREET AND WARREN AVENUE, LA)
JUNTA, COLORADO.)
-----)

PERMIT NO. M-14375

December 6, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Superior Stations, Inc.,
La Junta, Colorado
requesting that Permit No. M-14375 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14375, heretofore issued to Superior Stations, Inc.,
La Junta, Colorado be,
and the same is hereby, declared cancelled effective November 26, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Garth C. Norton
Wm. E. Ziehlings
Commissioners

Dated at Denver, Colorado,
this 6th day of December, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
REX E. SCOTT, ROUTE 1 BOX 76,) PERMIT NO. B-5106
FORT LUPTON, COLORADO.)
-----)

December 6, 1962

S T A T E M E N T

By the Commission:

On January 21, 1962, the Commission authorized Rex E. Scott to suspend operations under his Permit No. B-5106, until January 21, 1963.

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

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-5106, should be, and the same hereby is, reinstated as of November 20, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO
Joseph F. Negro
Frank C. Horton
Henry E. Zaulinger
Commissioners

Dated at Denver, Colorado,
this 6th day of December, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
DENISON POULTRY AND EGG COMPANY,)
308 SOUTH MOBBERLY, LONGVIEW, TEXAS.)
_____)

PERMIT NO. M-5350

December 6, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Denison Poultry and
Egg Co., Longview, Texas
requesting that Permit No. M-5350 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-5350, heretofore issued to Denison Poultry and Egg
Co., Longview, Texas be,
and the same is hereby, declared cancelled effective November 8, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
George C. Norton
Wm. E. Zwick
Commissioners

Dated at Denver, Colorado,

this 6th day of December, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF
DENISON POULTRY AND EGG COMPANY,
308 SOUTH MOBBERLY, LONGVIEW,
TEXAS.

PUC NO. 3520-I

December 6, 1962

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Denison Poultry
and Egg Company, Longview, Texas

requesting that Certificate of Public Convenience and Necessity No. 3520-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. 3520-I heretofore issued to Denison
Poultry and Egg Company, Longview, Texas

be, and the same is hereby, declared cancelled effective November 8, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph J. Higgins
Joseph C. Hobson
Henry J. Ziegler
Commissioners

Dated at Denver, Colorado
this 6th day of December, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

C. R. BLAKEMAN (DECEASED), DOING
BUSINESS AS, "BLAKEMAN MILLING COM-
PANY," PHIPPSBURG, COLORADO.
-----)

PERMIT NO. M-3305

December 6, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from C. R. Blakeman (Deceased)
doing business as, "Blakeman Milling Company", Phippsburg, Colorado
requesting that Permit No. M-3305 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-3305, heretofore issued to C. R. Blakeman (Deceased),
doing business as, "Blakeman Milling Company", Phippsburg, Colorado be,
and the same is hereby, declared cancelled effective December 3, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Henry B. Spink
Commissioners

Dated at Denver, Colorado,

this 6th day of December, 19 62.

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 59724)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
C. R. BLAKEMAN (DECEASED),)
DOING BUSINESS AS, "BLAKEMAN)
MILLING COMPANY", PHIPPSBURG,)
COLORADO.)

PERMIT NO. B-5690 & I

December 6, 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-5690 & I be suspended
for six months from December 3, 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 C. R. Blakeman (Deceased), doing business as, "Blakeman
Milling Co., Phippsburg, Colorado
be, and is hereby, authorized to suspend his operations under Permit
No. B-5690 & I until June 3, 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
Walter C. Johnston
Wm. E. Zerkow
Commissioners

Dated at Denver, Colorado,
this 6th day of December, 1962.

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF T. J. BIGBEE, 2360 SOUTH STREET, BOULDER, COLORADO, FOR AUTHORITY TO TRANSFER PUC NO. 3327 TO FLOYD MUS- GRAVE, 2360 SOUTH STREET, BOULDER, COLORADO.	} } } }	<u>APPLICATION NO. 19452-Transfer</u>

November 30, 1962

Appearances: T. J. Bigbee, Boulder,
Colorado, pro se;
Floyd Musgrave, Boulder,
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

T. J. Bigbee, the transferor herein, is the owner and
operator of PUC No. 3327, which authorizes:

transportation of houses, between and with-
in the Counties of Boulder and Gilpin, in
the State of Colorado,

and by the instant application the certificate-holder seeks author-
ity to transfer said operating rights to Floyd Musgrave, Boulder,
Colorado.

The application was set for hearing before the Commission,
after appropriate notice to all interested parties, and was heard at
the Hearing Room of the Commission, 532 State Services Building,
Denver, Colorado, at 2:30 P. M., November 23, 1962, and at the con-
clusion thereof, the matter was taken under advisement.

The transferor and transferee testified in support of the
application to transfer. It appears, and the Commission so finds,
that the sum of \$15,000 is to be paid as consideration for the trans-
fer; that \$2,000 has been paid down and the balance is to be paid at

the rate of \$250.00 monthly, including interest at the rate of 6% per annum. The transfer includes all equipment on the equipment list filed with the Commission, and the certificate. The Commission finds that the transferee has had some twelve years experience in the particular type of transportation services involved, and has a net worth of approximately \$15,000.

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

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

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 T. J. Bigbee, Boulder, Colorado, be, and hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 3327 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Floyd Musgrave, Boulder, 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 Com-


mission, upon proper application.

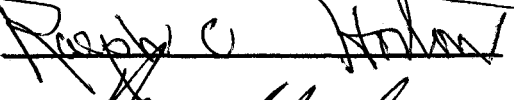
The tariff of rates, rules, and regulations of transferor shall, upon proper adoption notice, become and remain those of transferee until changed according to law and the rules and regulations of this Commission..

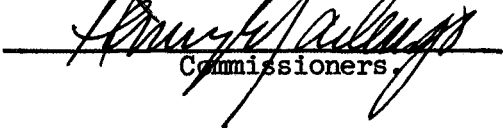
The right of transferee to operate under this Order shall depend upon the prior filing by transferor of delinquent reports, if any, covering operations under said certificate up to the time of transfer of said certificate.

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 30th day of November, 1962.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
FLOYD A. HENRIKSON AND CLAIRE C.
HENRIKSON, 255 SOUTH CLEVELAND,
LOVELAND, COLORADO, BEING THE OWNERS
OF ALL CAPITAL STOCK OF DENVER-LOVE-
LAND TRANSPORTATION, INC., EXCEPT A
QUALIFYING SHARE PRESENTLY HELD BY
A. GENE HOOD, FOR AUTHORITY TO TRANS-
FER SAID CAPITAL STOCK TO PAUL D.
AMEN AND A. GENE HOOD, 255 SOUTH
CLEVELAND, LOVELAND, COLORADO. (PUC
NO. 205).

APPLICATION NO. 19441-Stock Transfer

November 30, 1962

Appearances: John P. Thompson, Esq.,
Denver, Colorado, for
Transferors and Trans-
ferees.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Floyd A. Henrikson and Claire C. Henrikson, Loveland, Colo-
rado, are the owners of all capital stock of Denver-Loveland Transporta-
tion, Inc., except a qualifying share presently held by A. Gene Hood,
operating under and by virtue of PUC No. 205, being in compliance with
the Rules and Regulations of this Commission and the laws of the State
of Colorado.

By the instant application, the transferors herein seek au-
thority to transfer said capital stock, subject to approval of this
Commission, to Paul D. Amen and A. Gene Hood, Loveland, Colorado.

The application was regularly set for hearing, after
statutory notice to all interested parties, and heard at the Hearing
Room of the Commission, 532 State Services Building, Denver, Colorado,
at 2:00 o'clock P. M., and at the conclusion thereof, the matter was

taken under advisement.

At the hearing, Floyd A. Henrikson, one of the transferors herein, testified as to the contracts relating to the transfer of the stock and the conditions surrounding said transfer, all of which more specifically appears in the exhibits tendered and received in evidence, and to which reference is made. The witness stated that because of health reasons he will be unable to carry on the business.

The evidence adduced in support of the application was to the effect that A. Gene Hood has had experience with the corporation for some $4\frac{1}{2}$ years; that he has acted as Secretary of the corporation; that he is familiar with the personnel and the operation, and is able to carry on the transportation services in the same manner as the same have been carried on in the past.

It appears to the Commission, and the Commission so finds, from all the evidence and the record, that the transferees of the stock have satisfactory financial standing and in the past have had substantial experience qualifying them to carry on the transportation services as heretofore carried on by the corporation; that it will be in the public interest to approve the transfer, and the transfer should be authorized and approved, as hereinafter set out.

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

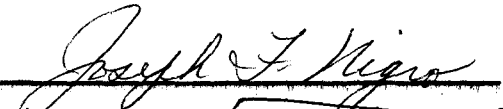
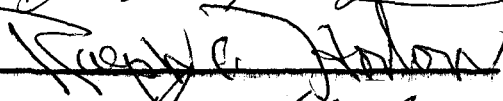

O R D E R

THE COMMISSION ORDERS:

That Floyd A. Henrikson and Claire C. Henrikson, Loveland, Colorado, being the owners of all the outstanding stock of Denver-Loveland Transportation, Inc., except a qualifying share presently held by A. Gene Hood, be, and hereby are, authorized to transfer said stock operating under and by virtue of PUC No. 205, to Paul D. Amen and A. Gene Hood, Loveland, Colorado.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 30th day of November, 1962.

mls

original

* * *

APPLICATION NO. 19423-Extension

November 30, 1962

STATEMENT AND FINDINGS OF FACT

The applicant is the owner of PUC No. 3019, which authorizes operation as a common carrier by motor vehicle for hire, as follows:

transportation of milk and dairy products in the following territory: Southerly limits to be easterly from the intersection of Colorado State Highway No. 94 and U. S. Highway No. 24 east of Colorado Springs, Colorado, following Colorado State Highway No. 94 to Ellicott; thence south ten miles; thence east to a point ten miles south of Rush; thence north twenty-four miles, more or less, through Rush to the intersection with County Road No. 48; thence westerly approximately eleven miles to the intersection with U. S. Highway No. 24; thence southwesterly along U. S. Highway No. 24 to its intersection with Colorado State Highway No. 94, the place of beginning; also the area included within a distance of three miles on each side of County Road No. 521 from Calhan north to the El Paso County Line; milk and dairy products, in cans and in bulk, in tank vehicles, within the following described territory: beginning at the intersection of Highway No. 94 and Highway No. 24 east of Colorado Springs, Colorado, following Highway No. 94 to the northwest corner of Section 16, Township 14 South, Range 65

West, 6th P. M.; thence south ten miles; thence east to the northeast corner of Section 3, Township 15 South, Range 60 West; thence north to the southwest corner of Section 34, Township 11 South, Range 60 West, located on El Paso County Road No. 48; thence east on said road one mile; thence north to intersect U. S. Highway No. 24 at Simla, Colorado; thence following said highway southwesterly to the Town of Ramah, Colorado; thence north to a point five miles north of the El Paso County line; thence west fourteen miles; thence south to intersect U. S. Highway No. 24 at a point three miles east of Peyton, Colorado; thence following U. S. Highway No. 24 to the place of beginning,

and by the instant application, applicant seeks to extend and enlarge such certificate to authorize the transportation of milk and dairy products in the following-described territory: beginning at the Northwest Corner of Section 6, Township 16 South, Range 64 West of the 6th P. M., extending thence South along section lines to the Southwest Corner of Section 31, Township 17 South, Range 64 West of the 6th P. M., being the South line of El Paso County; thence Easterly along the South line of El Paso County to the Southeast Corner of Section 36, Township 17 South, Range 63 West of the 6th P. M.; thence North along section lines to the Northeast Corner of Section 6, Township 16 South, Range West of the 6th P. M.; thence Westerly along section lines to the place of beginnin, El Paso County, Colorado.

The application was set for hearing on November 13, 1962, at ten o'clock A. M., in the County Office Building, Colorado Springs, 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 application.

That the applicant will have sufficient equipment and exper-

ience to properly carry on the proposed transportation services and the applicant's financial standing is established to the satisfaction of the Commission.

That public convenience and necessity require the transportation services for which applicant herein seeks authority, and the application should be granted.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the proposed extended motor vehicle common carrier service of Virgil L. Brauer, doing business as "Brauer Milk Line," Colorado Springs, Colorado, under PUC No. 3019, to include the transportation of milk and dairy products in the following described territory:

Beginning at the northwest corner of Section 6, Township 16 South, Range 64 West of the 6th P. M., extending thence south along Section Lines to the southwest corner of Section 31, Township 17 South, Range 64 West of the 6th P. M., being the south line of El Paso County; thence easterly along the south line of El Paso County to the southeast corner of Section 36, Township 17 South, Range 63 West of the 6th P. M.; thence north along section lines to the northeast corner of Section 6, Township 16 South, Range 63 West of the 6th P. M.; thence westerly along Section lines to the place of beginning, El Paso County, Colorado,

and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

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

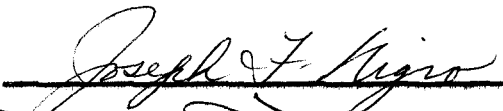
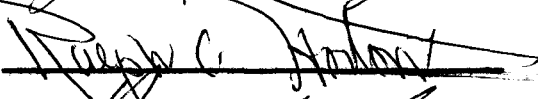

That applicant shall operate his carrier system in accordance with the Order of the Commission, except when prevented by Act of God, the public enemy or extreme conditions.

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

sion.

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 30th day of November, 1962.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE INCREASED PASSENGER FARES)	
AND CHARGES, LITTLE PERCENT)	INVESTIGATION AND SUSPENSION
TAXI, INC. -----)	<u>DOCKET NO. 503</u>

November 29, 1962

STATEMENT AND FINDINGS

BY THE COMMISSION:

By our decision No. 59618, dated November 9, 1962, we suspended the operation of Little Percent Taxi, Inc. tariff No. 2, Colorado PUC No. 2, scheduled to have become effective November 15, 1962, to and including March 15, 1963.

Our transportation and cost analyst examined the annual reports of Little Percent Taxi, Inc., hereinafter called respondent, for the years 1958 through 1962 and conferred with respondent's accountants, R. H. Lester and Co., Colorado Springs, Colorado, specifically as to the annual report for the fiscal period ending September 30, 1962.

The annual report for the fiscal period ending September 30, 1962, shows the following:

Passenger Revenues	\$46,715.57
Agencies and Commissions	<u>2,548.10</u>
Total Revenues	\$49,263.67
Total operating and Maintenance Expenses	64,952.87
Net Operating Profit () denotes loss	(15,689.20)
Operating Ratio	131.84 per cent

Operating ratios and profits for the years 1958 through 1961 were as follows:

<u>Period</u>	<u>Operating Ratio Percent</u>	<u>Profit or Loss</u>
Jan. 1, 1958 to Dec. 31, 1958	86.33	\$5,100
Jan. 1, 1959 to Dec. 31, 1959	80.54	9,408
Jan. 1, 1960 to May 31, 1960	82.92	5,092
June 1, 1960 to May 31, 1961	107.50	(3,752)
June 1, 1961 to Sept. 30, 1961	94.93	1,261

Respondent's president estimates that the proposed increased fares and charges will result in an overall increase of 25 per cent. On the basis of the 1962 revenues, the estimated dollar increase will be approximately \$11,680 (25 per cent of \$46,715). Had the increased revenue of \$11,680 been received during the fiscal period ending September 30, 1962, the operations of respondent would have been conducted at a loss. Respondent believes that operating economies in the amount of \$6,000 can be effected during the ensuing fiscal period, and if this be so, an operating profit of approximately \$2,000 (\$49,263 + \$11,680 - \$58,952) would be realized based on the proposed increased revenues less the actual expenses for the fiscal period ending September 30, 1962.

If an operating ratio of 93 per cent were found to be proper here, which we do not find, and using as a base the operating expenses of \$58,952 (\$64,952 - \$6,000 estimated economies) for the year 1962, respondent would require revenues of \$63,389, or increased revenues of \$14,126 to produce such an operating ratio. The proposed increase of \$11,680 falls short of the increase of \$14,126 based on an operating ratio of 93 percent.

Upon consideration of the annual reports and the investigation made by our transportation cost analyst, we find that our order suspending Little Percent Taxi, Inc. schedule and our ordering an investigation as to the lawfulness thereof, should be vacated and the proceeding discontinued.


O R D E R


THE COMMISSION ORDERS, That:

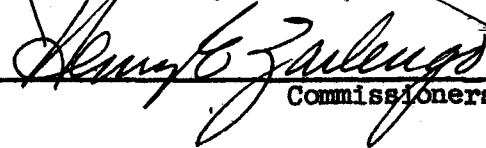
1. The Statement and Findings be, and they are hereby made a part hereof.

2. The order heretofore entered in this proceeding (Decision No. 59618, dated November 9, 1962) suspending the operation of the schedules referred to in the statement herein and ordering an investigation as to the lawfulness thereof, be and is hereby vacated and set aside as of November 30, 1962 and that this proceeding be discontinued.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners

Dated at Denver, Colorado this
29th day of November, 1962.

jbw

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GAS FACILITIES, INC., 1130 FIRST)
NATIONAL BANK BUILDING, DENVER,)
COLORADO, FOR A CERTIFICATE OF)
PUBLIC CONVENIENCE AND NECESSITY)
TO PROVIDE A DISTRIBUTION SYSTEM)
OF GAS SERVICE TO BE INITIALLY)
DERIVED FROM LIQUEFIED PETROLEUM)
PRODUCTS, AND LATER TO BE NATURAL)
GAS, WHEN AVAILABLE IN THE AREA,)
TO SERVE ALL SECTIONS 2, 3, 4, 5,)
6, 7, 8, 9, 10, 11 AND 12, TOWN-)
SHIP 5-SOUTH, RANGE 80-WEST, EAGLE)
COUNTY, COLORADO.)
-----)

APPLICATION NO. 19384-Amended

November 30, 1962

Appearances: Keith L. Brown, Esq.,
Denver, Colorado, 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:

The above-entitled application was filed with the Commission on October 1, 1962, seeking a certificate of public convenience and necessity to render gas service in a portion of Eagle County, Colorado, known as the "Vail Pass Ski Area."

The matter was set for hearing by the Commission, after due notice to all interested parties, on Monday, November 19, 1962, in the Commission's Hearing Room, 532 State Services Building, Denver, Colorado. This application was heard on a joint record together with Application No. 19431, being the same Applicant, for authority to issue certain securities. At the hearing, Applicant requested permission to amend its Application No. 19384 to serve all of the sections requested in said application in lieu of only the privately-owned land

in said sections. There being no objections, the request for the amendment was granted.

Applicant is a Colorado corporation authorized, among other things, to conduct a business of buying and selling of gas in the State of Colorado. A copy of its Articles of Incorporation, as amended to date, has been filed in the instant matter. The address of the principal office is 1130 First National Bank Building, Denver, Colorado.

Testimony at the hearing revealed that Applicant proposes to construct a gas system to supply propane gas to certain areas in Eagle County known generally as the Vail Pass Ski Area. While Applicant proposes to render the service with liquefied petroleum initially, it also requests it be authorized to serve natural gas should it become available in this area. A copy of the contract by and between Suburban Gas Supply of Colorado, Inc. and Applicant, has been filed herein, setting forth the terms and conditions by which Applicant intends to purchase its supply of LP gas for use in the area. LP storage tanks will be located as a source of supply all in accordance with the safety standards promulgated by the State of Colorado, and Applicant will construct its gas distribution system in accordance with good engineering practices. The witness estimated that the total cost of installing the system will approximate \$30,000. The proposed schedule of rates was submitted at the hearing, together with the feasibility study showing the estimated income and expenses, if the estimated number of consumers as proposed are connected.

It is apparent from the testimony at the hearing that this service is needed, and that a certificate of public convenience and necessity should be granted.

F I N D I N G S

THE COMMISSION FINDS:

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

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

That a certificate of public convenience and necessity for the rendering of gas service in the area to be set forth in the Order herein should be granted.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require, and will require, the granting to Gas Facilities, Inc., a certificate of public convenience and necessity to render gas service, utilizing liquefied petroleum, natural, artificial or mixed gas, in the area set forth in the Order herein, and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

That Applicant shall install and maintain the proposed gas system in accordance with good engineering practices.

That Applicant shall at all times comply with the Rules Regulating the Service of Gas and Electric Utilities promulgated by this Commission.

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 Applicant shall file with this Commission the rates, rules and regulations under which it proposes to render gas service at least five (5) days prior to the rendering of gas service under the certificate granted herein.

That the area granted to Applicant within which to render gas service is as follows:

Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12,
Township 5-South, Range 80-West, Eagle County,
Colorado.

That Applicant shall odorize all gas prior to distribution in its system.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Rueph C. Hobart
George E. Zuley
Commissioners.

Dated at Denver, Colorado,
this 30th day of November, 1962.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GAS FACILITIES, INC., FIRST NATIONAL)
BANK BUILDING, DENVER, COLORADO, FOR) APPLICATION NO. 19431-Securities
AUTHORITY TO ISSUE SECURITIES.)
-----)

November 30, 1962

Appearances: Keith L. Brown, Esq.,
Denver, Colorado,
for Applicant;
J. M. McNulty, Denver,
Colorado, and
E. R. Thompson, Denver,
Colorado, for the Staff
of the Commission.

S T A T E M E N T

By the Commission:

On October 26, 1962, Gas Facilities, Inc. filed with this Commission an application for an order approving its financing consisting of \$30,000 capital stock previously issued and the proposed borrowing of \$5,000 for a term of one year or less, all for the purpose of installing and operating a gas distribution system in Eagle County, Colorado, known as the "Vail Pass Ski Area."

By the Commission's Decision and Order No. 59507, the matter was set for hearing after due notice to all interested parties, on November 13, 1962, at two o'clock P. M., at 532 State Services Building, Denver, Colorado. Previously, Gas Facilities, Inc. had filed, on October 1, 1962, Application No. 19384 for a certificate of public convenience and necessity to render gas service at this location defined by the area set forth in its application as amended.

The Commission set the same time and place for hearing of both applications, and upon said date, the applications were heard on a joint record, and at the conclusion of the hearing were taken under advisement.

No protests were filed prior to the hearing in regard to these matters, and no one appeared at the hearing in opposition to the granting of the authority sought.

Applicant, whose business address is 1130 First National Bank Building, Denver 2, Colorado, is a Colorado corporation. Its Articles of Incorporation, as amended, are on file with the Commission in Application No. 19384, and set forth the fact that Gas Facilities, Inc. is authorized to issue 49,990 shares of capital stock, par value \$10.00. Applicant's witness testified that 3,000 shares, par value \$10.00, in the amount of \$30,000, had been issued and paid for and that the Company proposed to borrow \$5,000 with interest at six per cent from the Denver United States National Bank for a period of one year or less.

Applicant states that it had no long-term or short-term debt as of October 1, 1962, and that it is not affiliated with any other company. Its Balance Sheet of October 1, 1962, consists merely of \$30,000 cash and \$30,000 of common stock.

By Commission's Decision and Order No. 59729, Applicant was granted authority to install and operate a gas distribution system, using liquefied petroleum or natural gas, at the Vail Pass Ski Area, as set forth in the Commission's Order.

F I N D I N G S

THE COMMISSION FINDS:

That Applicant, Gas Facilities, Inc., a Colorado corporation, is a public utility as defined by Chapter 115-1-3, Colorado Revised Statutes, 1953.

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

That the Commission is fully advised in the premises.

That the issuance of 3,000 shares of common stock, \$10.00 par value, prior to the receiving of its certificate of public convenience and necessity, Commission's Decision and Order No. 59729, and prior to the filing of this application, should be ratified and approved.

That the proposed borrowing of \$5,000 from the Denver United States National Bank for a term of one year or less, at an interest rate of 6%, should be authorized and approved.

That these securities transactions are not inconsistent with the public interest.

That the purpose, or purposes, thereof are permitted by and are consistent with the provisions of Chapter 115, Colorado Revised Statutes, 1953, and that the issuance of such securities as hereinabove set forth, was and is reasonably required and necessary for its proper corporate financing.

That the Order sought should be issued, and should be made effective forthwith.

O R D E R

THE COMMISSION ORDERS:

That the issuance of 3,000 shares of common stock, par value \$10.00, of Gas Facilities, Inc., in an amount of \$30,000 prior to the issuance of the Commissions' Decision and Order No. 59729 for a certificate of public convenience and necessity, and prior to the date of filing of this application, No. 19431-Securities, be, and the same is hereby ratified and approved.

That the proposed borrowing of \$5,000 from the Denver United States National Bank for a term of one year or less at an interest rate of 6%, be, and the same is hereby, authorized and approved.

That nothing herein contained shall be construed to imply any recommendation or guaranty of, or any obligation with respect to, the securities authorized hereunder, or the interest thereon, on the part of the State of Colorado.

That within sixty (60) days of the date hereof or the date of the execution of the instrument, or instruments, in connection with the borrowing of \$5,000 from the Denver United States National Bank, Gas Facilities, Inc. shall so notify this Commission and furnish one conformed copy of each of the executed instruments.

That the Commission retains jurisdiction of these proceedings to the end that it may make such further order or orders in the premises as to it may seem to be proper and desirable.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Frank C. Holman
Henry E. [unclear]
Commissioners.

Dated at Denver, Colorado,
this 30th day of November, 1962.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
CLARENCE SAUNDERS, DOING BUSINESS AS)	
"RED TOP GRADING COMPANY," 1910 WEST)	
CUCHARRAS, COLORADO SPRINGS, COLO-)	APPLICATION NO. 19429-PF
RADO, FOR A CLASS "B" PERMIT TO OPER-)	
ATE AS A PRIVATE CARRIER BY MOTOR)	
CARRIER FOR HIRE.)	

December 3, 1962

Appearances: Clarence Saunders, Colorado
Springs, 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 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, transportation of road-surfacing materials restricted against the use of tank vehicles.

The application was set for hearing on November 13, 1962, at ten o'clock A. M., in the County Office Building, Colorado Springs, 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, the matter was taken under advisement, and 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 files and the written statement of the Examiner states and finds:

That no one protests the granting of the application.

That there is a need for the proposed transportation services; that the applicant will have sufficient equipment and experience to properly carry on the proposed operation; and, that the applicant's financial standing is established to the satisfaction of the Commission.

That granting the authority as provided in the following Order will be in the public interest and such authority should be granted.

O R D E R

THE COMMISSION ORDERS:

That Clarence Saunders, doing business as "Red Top Grading Company," Colorado 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 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 L. Nigro
Barry C. Hoston
Henry G. Adams
Commissioners.

Dated at Denver, Colorado,
this 3rd day of December, 1962.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DONALD R. MOTT, 1337 SOUTH 25TH)
STREET, COLORADO SPRINGS, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE AS)
A PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 19428-PP

December 3, 1962

Appearances: Donald R. Mott, Colorado
Springs, 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 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, transportation of road-surfacing materials restricted against the use of tank vehicles.

The application was set for hearing on November 13, 1962, at ten o'clock A. M., in the County Office Building, Colorado Springs, Colorado. The same was then and there heard by an Examiner duly desig-

nated and to whom the hearing was assigned by the Commission. After the conclusion of the hearing, the matter was taken under advisement, and 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 files and the written statement of the Examiner states and finds:

That no one protests the granting of the application.

That there is a need for the proposed transportation services; that the applicant will have sufficient equipment and experience to properly carry on the proposed operation; and, that the applicant's financial standing is established to the satisfaction of the Commission.

That granting the authority as provided in the following Order will be in the public interest and such authority should be granted.

O R D E R

THE COMMISSION ORDERS:

That Donald R. Mott, Colorado 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 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.

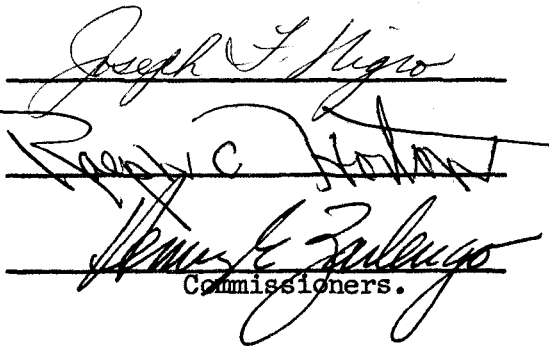
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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


Commissioners.

Dated at Denver, Colorado,
this 3rd day of December, 1962.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JOHN BURNHAM, 2638 EAST YAMPA,)
COLORADO SPRINGS, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A) APPLICATION NO. 19427-PP
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)
-----)

December 3, 1962

Appearances: John Burnham, Colorado
Springs, Colorado,
pro se.

S T A T E M E N T

By the Commission:

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

The application was set for hearing on November 13, 1962, at ten o'clock A. M., in the County Office Building, Colorado Springs, 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, the matter was taken under advisement, and 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 files and the written statement of the Examiner, states and finds:

That no one protests the granting of the application.

That there is a need for the proposed transportation services; that the applicant will have sufficient equipment and experience to properly carry on the proposed operation; and, that the applicant's financial standing is established to the satisfaction of the Commission.

That granting the authority as provided in the following Order will be in the public interest and such authority should be granted.

O R D E R

THE COMMISSION ORDERS:

That John Burnham, Colorado 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 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, and this Order is a permit therefor.


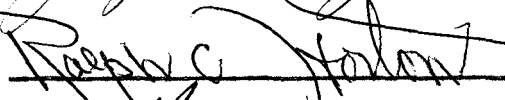
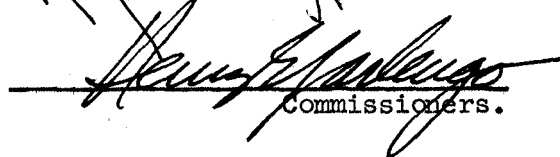
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 3rd day of December, 1962.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ADAM J. BOSCH, DOING BUSINESS AS)
"BOSCH MASONRY," 1032 CALVERT,)
COLORADO SPRINGS, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)
-----)

APPLICATION NO. 19426-PP

December 3, 1962

Appearances: Adam J. Bosch, Colorado
Springs, 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 100 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 100 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 100 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 100 miles of said pits and supply points, transportation of road-surfacing materials restricted against the use of tank vehicles.

The application was set for hearing on November 13, 1962, at ten o'clock A. M., in the County Office Building, Colorado Springs, 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, the matter was taken under advisement, and 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 files and the written statement of the Examiner, states and finds:

That no one protests the granting of the application.

That there is a need for the proposed transportation services; that the applicant will have sufficient equipment and experience to properly carry on the proposed operation; and, that the applicant's financial standing is established to the satisfaction of the Commission.

That granting the authority as provided in the following Order will be in the public interest, and such authority should be granted.

O R D E R

THE COMMISSION ORDERS:

That Adam J. Bosch, doing business as "Bosch Masonry," 1032 Calvert, Colorado 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 100 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 100 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 100 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 100 miles of said pits and supply points; the transportation of road-surfacing materials being restricted against the use of tank vehicles.


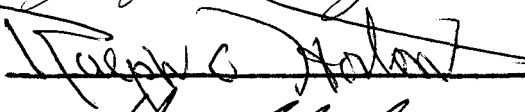
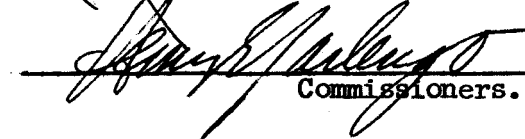
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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




Commissioners.

Dated at Denver, Colorado,
this 3rd day of December, 1962.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF) CHESTER BAY, RURAL ROUTE 3,) LA JUNTA, COLORADO, FOR AUTHORITY) TO EXTEND OPERATIONS UNDER PERMIT) NO. B-5048.) -----)	<u>APPLICATION NO. 19253-PP-Extension</u>
--	---

December 3, 1962

Appearances: Chester Bay, La Junta,
Colorado, pro se.

S T A T E M E N T

By the Commission:

By the above-styled application, Chester Bay, La Junta, Colorado, owner and operator of Permit No. B-5048, seeks authority to extend operations thereunder to include the right to transport same commodities as presently authorized, with the addition of melons (in season), and crates and crate materials, also change of radius on entire authority; basis of operation to be changed from within a radius of fifty miles of Rocky Ford, Colorado, to point to point within a radius of fifty miles of La Junta, Colorado, and into and out of said radius, to and from any point in the State of Colorado; new commodities to include crates, or crate materials, from Denver to said fifty-mile radius, and melons (in season), from said fifty-mile radius to Denver, Colorado.

Said application was regularly set for hearing before the Commission at the Court House, La Junta, Colorado, November 15, 1962, at one o'clock P. M., due notice thereof being forwarded to all parties in interest.

On November 5, 1962, 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 received many requests for his proposed extended service; that he has had requests from growers outside his present authority, viz., Joseph Dolton, Henry Miller, and John Miller, for his transportation services; that he is the owner of a 1959 and a 1962 Chevrolet Truck and two trailers; that he has sufficient net worth and operating experience to render his proposed extended services; that if authority herein sought is granted, he will obey the law, 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 herein sought would not impair the efficient public service of any authorized motor vehicle common carriers; that, since the extension herein sought covers presently-authorized commodities, as well as additional commodities, together with a change of certain territory, authority under Permit No. B-5048 should be rewritten.

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 operating in the territory sought to be served by applicant; that applicant herein is qualified, financially and by experience, to conduct his proposed extended operations; that applicant should be authorized to extend operations under Permit No. B-5048, 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 Chester Bay, La Junta, Colorado, be, and he hereby is, authorized to extend operations under Permit No. B-5048, so that in the future, said Permit No. B-5048 shall authorize operation as a private carrier by motor vehicle for hire, for the transportation of:


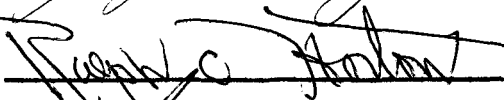
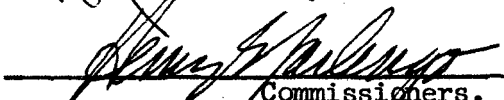
1. Farm products, excluding livestock, between points within a fifty-mile radius of La Junta, Colorado, and from points in said fifty-mile radius, to points in the State of Colorado;
2. Onions, from farms in Crowley, Otero, Prowers, Bent, Weld, Logan, Morgan, Adams and Arapahoe Counties, to packing sheds and railroad shipping points within said Counties;
3. Crates and crate material, from Denver, Colorado, to points within a fifty-mile radius of La Junta, Colorado.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado,
this 3rd day of December, 1962.

ea




Commissioners.

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JULIAN BACA, 508 NORTH TENTH, ROCKY)
FORD, COLORADO, FOR AUTHORITY TO)
TRANSFER PERMIT NO. B-6116 TO JOE A.) APPLICATION NO. 19437-PP-Transfer
TRUJILLO, 710 NORTH SEVENTH, ROCKY)
FORD, COLORADO.)
-----)

December 3, 1962

Appearances: Julian Baca, Rocky Ford,
Colorado, pro se;
Joe A. Trujillo, Rocky
Ford, Colorado, pro se.

S T A T E M E N T

By the Commission:

By the above-styled application, Julian Baca, Rocky Ford,
Colorado, owner and operator of Permit No. B-6116, seeks authority
to transfer said operating rights to Joe A. Trujillo, Rocky Ford,
Colorado, said Permit No. B-6116 being the right to operate as a
private carrier by motor vehicle for hire, for the transportation of:

hay and onions, from farms to markets within a
radius of fifty miles of Rocky Ford, Otero
County, Colorado.

Said application was regularly set for hearing before the
Commission at the Court House, La Junta, Colorado, November 15, 1962,
at one o'clock P. M., due notice thereof being forwarded to all parties
in interest.

On November 5, 1962, 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, transferor herein appeared and testified he is owner of Permit No. B-6116; that he has continuously operated under said permit since granted by this Commission; that he has entered into a contract, copy of which is on file with the Commission, to transfer said operating rights to transferee herein; that the consideration therefor is the sum of one hundred dollars; that there are no outstanding operating obligations against said permit.

Report of the Examiner further states that transferee herein also appeared at the hearing and testified he has entered into a contract to purchase Permit No. B-6116 from Julian Baca for a consideration of one hundred dollars; that he has a net worth of \$10,000; that he is presently operating under said permit under Temporary Authority issued by this Commission; that he has ample and suitable equipment and sufficient operating experience to render and continue operations under 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 Commission.

Findings of the Examiner are that transferee herein is a fit and proper person, has sufficient equipment, and is financially able to render operations under Permit No. B-6116; that there is no outstanding indebtedness against said permit; that transfer herein sought should be authorized.

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 Julian Baca, Rocky Ford, Colorado, be, and he hereby is, authorized to transfer all his right, title and interest in and to Permit No. B-6116 -- with authority as set forth in the Statement preceding, which is made a part hereof by reference -- to Joe A. Trujillo, Rocky Ford, 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. Nigro
Robert C. Hobart
Clayton E. Huggins
Commissioners.

Dated at Denver, Colorado,
this 3rd day of December, 1962.

ea

original

(Decision No. 59737)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
JUAN A. MEDINA, ROUTE 2, LA JUNTA,)	
COLORADO, FOR A CLASS "B" PERMIT TO)	APPLICATION NO. 19436-PP
OPERATE AS A PRIVATE CARRIER BY)	
MOTOR VEHICLE FOR HIRE.)	

December 3, 1962

Appearances: Juan A. Medina, La Junta,
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 onions, from fields to storage points within a radius of twenty-five miles of Rocky Ford, Colorado, for Glenn Grimsley, only, restricted to the use of bob-tail trucks.

Said application was regularly set for hearing before the Commission, at the Court House, La Junta, Colorado, November 15, 1962, at one o'clock P. M., due notice thereof being forwarded to all parties in interest.

On November 5, 1962, 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 that he had been requested by Glenn Grimsley to file the instant application; that said Glenn Grimsley will be his only customer; that he is presently operating under Temporary Authority issued by this Commission; that he is the owner of a 1955 Chevrolet two-ton truck, and a 1948 Reo two-ton truck; that he has a net worth of \$20,000; that in the event authority herein sought is granted, he will obey the law and 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.

Report of the Examiner recommends that permit issue to applicant herein, he having found said applicant to be a fit and proper person, with sufficient equipment and financial responsibility to render service herein sought; that there is a present need for said service, and that the granting of said authority would not impair the efficient public service of any authorized motor vehicle common carrier.

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 operating in the territory sought to be served by applicant; that applicant herein 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.

ORDER

THE COMMISSION ORDERS:

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

That Juan A. Medina, La Junta, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of onions, from fields to storage points within a radius of twenty-five miles of Rocky Ford, Colorado, for Glenn Grimsley, only, restricted to the use of bob-tail trucks.

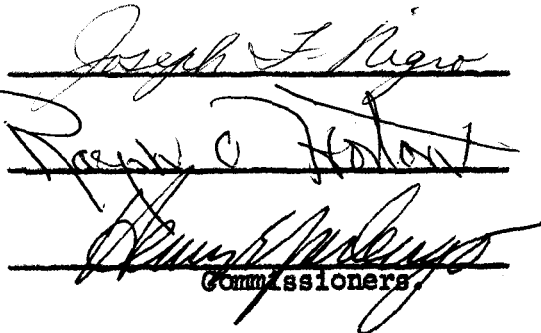
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this Order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured 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 3rd day of December, 1962.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF }
ALVIN E. BENDER, 1601 CARSON AVENUE, }
LA JUNTA, COLORADO, FOR AUTHORITY TO } APPLICATION NO. 19438-PP-Transfer
TRANSFER PERMIT NO. B-5859 TO WAYNE }
CAMPBELL, ROUTE 2, LA JUNTA, COLO- }
RADO. }

December 3, 1962

Appearances: Alvin E. Bender, La Junta,
Colorado, pro se;
Wayne Campbell, La Junta,
Colorado, pro se.

S T A T E M E N T

By the Commission:

Alvin E. Bender, La Junta, Colorado, is the owner and oper-
ator of Permit No. B-5859, authorizing operation as a Class "B" pri-
vate carrier by motor vehicle for hire, for the transportation of:

merchandise sold by Montgomery Ward and Com-
pany, only, from point to point within a ra-
dius of sixty-five miles of La Junta, Colo-
rado, for said Montgomery Ward and Company,
only.

By the above-styled application, said permit-holder seeks
authority to transfer said Permit No. 5859 to Wayne Campbell, La Junta,
Colorado.

Said application was regularly set for hearing before the
Commission, at the Court House, La Junta, Colorado, November 15, 1962,
at one o'clock P. M., due notice thereof being forwarded to all parties
in interest.

On November 5, 1962, 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, transferor herein appeared at the hearing and testified he is owner and operator of Permit No. B-5859; that he has continuously operated said permit since granted by the Commission; that he has entered into a contract, copy of which is on file with the Commission, to transfer said operating rights to transferee herein; that the consideration for said transfer is \$1,200 in cash; that there are no outstanding operating obligations against said permit.

Report of the Examiner further states that transferee herein also appeared at the hearing and testified he had entered into a contract to purchase Permit No. B-5859 from transferor herein; that the consideration for transfer of said operating rights is \$1,200 in cash; that he is the owner of a 1956 Chevrolet three-quarters-ton pickup; that he has sufficient net worth and operating experience to render operations under said permit; that in the event authority herein sought is granted, he will obey the law and 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 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 operations under Permit No. B-5859; that there is no outstanding indebtedness against said permit; that transfer herein sought should be authorized.


Report of the Examiner recommends that authority herein


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.

Dated at Denver, Colorado,
this 3rd day of December, 1962.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE FAILURE OF)
VARIOUS CORPORATIONS, PARTNER-)
SHIPS, AND/OR PERSONS TO COM-)
PLETE APPLICATIONS FOR PERMITS)
TO OPERATE AS COMMERCIAL (PRIVATE))
CARRIERS BY MOTOR VEHICLE IN)
THE STATE OF COLORADO.)
-----)

December 4, 1962

S T A T E M E N T

By the Commission:

The records of the Commission show that the corporations, partnerships, and/or persons listed in the Order part of this Decision have paid to the Commission a filing fee for a Commercial (private) Carrier Permit to operate over the highways of the State of Colorado.

The records of the Commission further show that said applicants have failed to complete their applications in one or more of the following particulars as required by the Rules and Regulations Governing Commercial Carriers by Motor Vehicle in Colorado:

- (a) Failure to file completed application.
- (b) Failure to indicate number of power units to be operated.
- (c) Failure to file, or have filed, certificate of insurance.

The records of the Commission further show that all of the applicants listed in the Order part of this Decision have been duly notified by the Commission of their failure to comply with one or more of the above particulars.

F I N D I N G S

THE COMMISSION FINDS:

That the Statement should be made a part of these Findings.

That all of said proceedings heretofore instituted by the corporations, partnership, and/or persons listed in the Order part of this Decision should be dismissed.

O R D E R

THE COMMISSION ORDERS:

That each of the application proceedings heretofore commenced by the following corporations, partnership, and/or persons before this Commission to obtain authority to operate as a Commercial (private) Carrier by Motor Vehicle over the highways of the State of Colorado, be, and the same hereby are, dismissed:

AAA Trailer Sales Inc.,
Stanley Hailpern &
Gerald Greenberg dba

7440 E. Colfax, Denver 8, Colo.

A-1 Sales Co., Inc.
Acerson, Alfred O.
Adkins, Roy L.
Agricultural Market Association,
Akers Prod.
Albers, Fred & Olive
Algiere Produce Co.
Alvardo, Carmon & Manuel
Amarosa, Edward John
American Totalistator Co.,
Division of Universal Controls Inc.
Anderson & Son
Francis A. & Donald F. Anderson dba
Andrews Trophy Homes
Atwood, Louis E.
Bayles, L. C.
Belle, Carrol
Bellew, C. L.
Benham, Raye
Bert's Salvage
Berton F. Rose dba
Best, Clarence Jr., & Fleming, Hugh A.
Boles Wholesale Jobber
B. K. Boles dba
Brimmer, Larry C.
Burke, L. J.
Burnwell Mine #2
Robert L. & Leo Zufelt dba
Byke, Lawrence J
C&S Trucking Co.,
Campbell, James J.

9020 Beechwood Dr., Denver 29, Colo.
PO Box 305, Green River, Utah
1811 W. Blodgett St., Carlsbad, N. Mex.
Oklahoma City, Okla.
Kennett, Mo.
Minco, Okla.
3063 Brighton Blvd., Denver 5, Colo.
Box 396, Manzanola, Colo.
R1 Box 68, Lafayette, Colo.

91 N. San Gabriel Blvd., Pasadena, Calif.

Oberlin, Kans.
Pocatello, Idaho
Star Route, Brush, Colo.
RR 2 Michigan City, Ind.
Box 299, Kimball, Nebr.
PO Box 614, Canon City, Colo.
Box 686, Dolores, Colo.

2951 14th St., Boulder, Colo.
325 Park Ave., Raton, New Mex.

715 State, Alamosa, Colo.
1604 Crestmore Pl., Ft. Collins, Colo.
Oklahoma City, Okla.

Rt 1 Box 125, Hesperus, Colo.
513 S. Lee, Oklahoma City, Okla.
7227 Patterson Lane, Paramount, Calif.
516 S. College, Ft. Collins, Colo.

Carbonic Engineering Co.,
 Caves, George W.
 Chacon, Elipio J.
 Chandler, Earl W.
 Churchill Produce Co.,
 Robert Churchill
 City Sign & Neon Co.,
 Colby Supply Mfg. Co.
 Cole, E. H.
 Colunga, Antonio Jr.
 Compact Associates of So. Colo.
 Copeland, D. R.
 Cordery, Joseph E.
 Cowan, Marshall M.
 Crouch Brothers, Inc.,
 Crow, George
 Curtis Truck Line
 D & C Service
 Dantzman, Joe
 Day, R. S.
 Dennis, B. H.
 Dial Distributing, Inc.
 Donaldson, Walter B.
 Doop, Joe C.
 Dunsworth, Ivan
 E & M Machinery Co.,
 Eads Elevator Co., Inc.
 Errebo, Carl D.
 Evans, Jesse J.
 Favero & Co.,
 Foster Egg Service
 George Foster dba
 Frazier, R. N.
 Fremont Machinery & Equipment, Inc.,
 Frontier Sod Co.,
 Robert C. Graver dba
 Galdo & Lango
 Garcia, Antonio F.
 Garcia, Walter T.
 Garrison, Donald L.
 George's Auction,
 G. R. Rogers dba
 Gilbert, James
 Gilger, Harolson
 Gomez, John B.
 Goodwin, Jim
 Goodwin, W. B.
 Gould, Louis N.
 Gray Lumber Co.,
 Lloyd Henry Gray dba
 Green I. L.
 Gregory, Nevel F & Esther D.
 Grimshaw, O. L.
 Hartman, John
 Heaston, Harold L & Jaeger, Leonard H.
 Henry, Jack Excavating
 Henry John T dba
 Hogarth, Irwin
 Holtom, Marvin L.
 Honda Sales * Service
 Feemster, Jas. A. & L. D. Mullen dba
 Hook's Exchange
 Glen W. Preston dba
 Huffman, Robert J.
 Hurst, Willie C & Vernon

PO Box 5222, Sacramento, Calif.
 Lincoln, Nebr.
 Box 165, Romeo, Colo.
 924 32nd St., Lubbock, Tex.

 Caruthersville, Mo.
 110 N. Cochiti, Farmington, N. Mex.
 Colby, Kansas
 RFD #1, Williamsburg, Iowa
 1010 Larimer St., Denver 4, Colo.
 2916 North Wood, Colorado Springs, Colo.
 Box 131, Garvin, Okla.
 916 Ussie, Canon City, Colo.
 RR #1, Mosca, Colo.
 Transport Bldg., St. Joseph, Mo.
 Eads, Colo.
 Mechanicsville, Iowa
 Box 207, Calhan, Colo.
 Box 474, Montrose, Colo.
 Box 1164, Cisco, Texas
 Amarillo, Texas
 RFD #3, Red Oak, Iowa
 Almena, Kans.
 2980 Arkins Ct., Denver 5, Colo.
 1017 Santa Fe, Springfield, Colo.
 108 Sandy Beach Dr., Pasadena, Maryland
 Eads, Colo.
 RR #1, Otis, Colo.
 1901 14th St. Road, Greeley, Colo.
 5381 So. 800 E. Ogden, Utah

 3375 So. Zuni, Englewood, Colo.
 RR 3 Box 117, Caddo, Okla.
 Box 1045, Riverton, Wyo.

 3233 S. Dexter St., Denver 22, Colo.
 Timberline Rd., Ft. Collins, Colo.
 Box 744, Center, Colo.
 Rt 2 Box 200, Las Animas, Colo.
 Rt 2 Box 253, Longmont, Colo.

 723 N. Mesa Verde St., Aztec, N. Mex.
 Maryville, Mo.
 Rt 1, Austin, Colo.
 Box 510, Capulin, Colo.
 Rt 3, Pontotoc, Okla.
 Electra, Texas
 Rt 2 Gunnison, Colo.

 Olathe, Colo.
 Garvin, Okla.
 729 N. 3rd St., Grand Junction, Colo.
 Lamar, Colo.
 Kansas City, Kans.
 Calhan, Colo.

 Rt 4 Box 208B5 Ft. Collins, Colo.
 Watkins, Colo.
 Enid, Okla.

 Box 111, Hwy 6&24, Gypsum, Colo.

 Rt 1 Box 223, Colo. Springs, Colo.
 308 Park St., Sterling, Colo.
 RR 2, Mancos, Colo.

Industrial Pipe Lines, Inc.
 Iwahihiro, Tetsuo
 J & J Auto Salvage
 James, Clifford D.
 Jenkins, Thomas B.
 Jennings Seed Co.,
 Jergens, Joe
 Johnson, Leon F.
 Johnson's Sno-Rides.
 Harold F. Johnson
 Joyce Mobile Homes
 Knudson, Lewis J.
 Kress, John R.
 Laurita, Fred M.
 League, Evan A.
 Ledesma Bros.
 Estaban & Domingo Ledesma dba
 Ligon, E. W. Produce Co.,
 E. W. Ligon dba
 Lincoln Electric Co.,
 Lucero, Fred
 Lund, Charles
 Lyons Grain Co.,
 Paul Christensen dba
 M & M Service Co.,
 Malouff, James
 Marshall, John C.
 Martinez, Abe J.
 Martinez, Paul
 Mayo, Mike D.
 McCall Mercantile
 McCall, John Kenneth dba

 McDonald, A. Y. Manufacturing Co.,
 Medland, Harry Price
 Medland, Harry dba
 Melton, Billy G.
 Merrit, Jess F.
 Mesa Distributing Co.
 (Flecksteiner W.)
 Midwest Transfer & Supply
 Miller, Dean
 Miller, J. L.
 Minatta Transportation Co.,
 Minnesota Tool Co.,
 Prather, William C. dba
 Mongold, J. E.
 Moriarty, John R.
 Morphis, C. E.
 Morrison Distributing Co.
 Bobby G. Morrison dba
 Murray, Pleasie
 Omaha Standard (Corp)
 Ortiz, Ernest
 Owens, Bob
 Padilla, Bennie
 Panhandle Welding Supply
 Peoples, Dale
 Petersen, Alvin H.
 Petroleum Pump Service
 Rossetti, Vincent dba
 Phillips Toy & Novelty Co.,
 Abe Greenband & Hal Watson dba
 Pierce, Geo. R. Inc.

3205 Kaibab Way, Salt Lake City, Utah
 Rt 2 Box 46, Las Animas, Colo.
 3300 W. 11th, Pueblo, Colo.
 Rt 2, Las Animas, Colo.
 507 E. Spruce, Garden City, Kans.
 Tulia, Texas
 PO Box 2, Virginia Dale, Calif.
 Enid, Okla.

880 Rose, Craig, Colo.
 411 So. Main, Roswell, New Mex.
 Box 1266, Sterling, Colo.
 PO Box 56, Wiggins, Colo.
 815 Dudley, Lakewood, Colo.
 Shamrock Hotel, Benkelman, Nebr.

 105 N. 1st St., Carrioxo Springs, Tex.

 Box 392, Pueblo, Colo.
 1224 Walnut St., Denver 4, Colo.
 1749 Johnneva, Pueblo, Colo.
 2020 1/2 Central Ave., Kearney, Nebr.

Lyons, Nebr.
 PO Box 295, Loveland, Colo.
 Costilla, New Mex.
 1083 Kearney, Denver, Colo.
 Dove Creek, Colo.
 223 Darby Blvd., San Antonio, Tex.
 905 Jefferson St., Loveland, Colo.

Palmer Lake, Colo.

DuBuque, Iowa

1842 Spruce St., Longmont, Colo.
 1211 32nd St., Wichita Falls, Tex.
 Box 155, Springfield, Colo.

410 N. Commercial, Trinidad, Colo.
 Lockwood, Mo
 Box 251, San Saba, Texas
 Box 1054, San Saba, Texas
 PO Box 247, Cotati, Calif.

Mt. Pulaski, Ill.
 Shawnee, Okla.
 1518 West 4 Lane, Hialeah, Florida
 Russellville, Ark.

PO Box #1046, Rifle, Colo.
 2001 Lafayette, Denver 5, Colo.
 2401 W. Broadway, Council Bluffs, Iowa
 PO Box 125, Capulin, Colo.
 209 Southeast 7th, Bentonville, Ark.
 811 Geneva Rd., Pueblo, Colo.
 Box 323, Liberal, Kansas
 1936 River Road, Amarillo, Texas
 Primghar, Iowa

Box 283, Frederick, Colo.

956 West 2nd South, Salt Lake City, Utah
 3009 Montana Ave., Billings, Montana

Plains Food Inc.,
 Plumbo Landscaping
 Shirley & Boyd J Johannes & Robert
 Plumbo dba
 Quint, Paul
 Quintana, Max R.
 R & R Trucking
 Rainbow Trailer Sales
 Edward F. Turner dba
 Ramsey, Charles Melvin
 Riggs, Lee
 Robbins, Gary F.
 Rocky Mountain Service Co.,
 Rodriguez, Trinida
 Romer Agricultural Enterprises Inc.
 Roundtree & Gebo
 Sanburg, Harry O.
 Schoonover, Henry
 Security Equipment Co.,
 Sharp's Exchange
 W. C. Sharp & Wanda Adams dba
 Smith, Don
 Smith, Leroy
 Stanley, Delbert
 Stelly Brothers Produce
 Strohmeier, Marion A & C Grace
 Stout, Otis
 Sun City Company
 Alfred D & Rudy D Hesko dba
 Taladay Wrecking Co.
 Myles W. Taladay dba
 Thrifty Bonded Gas
 Edward V Jacketta dba
 Valdez, Samuel
 Vallesterro, Martin C.
 Valley Lumber Co.,
 O. A. Price & R. E. Dalton dba
 Vickman, Kionel R.
 Villanueva, Ramos
 Walker, H. O.
 Walts Frontier
 Water, Lloyd M.
 Webster, P. H.
 Weinrich, William R.
 Wentz, Robert L.
 Westland Homes Corp.
 Whitehead Motors
 Errol Whitehead dba
 Whittington, Frank Inc.
 Wilkerson, Bill
 Willymo Express
 Wysco
 Everett E Woodral dba

Box 508, Plainview, Texas

507 W. 11th St., Pueblo, Colo.
 2039 Sherwood, Pueblo, Colo.
 Gen. Del. Rocky Ford, Colo.
 Uniontown, Alabama

1028 W. Main, Farmington, New Mex.
 Gen. Del. Fraser, Colo.
 Rt 1 West Wallice, San Saba, Tex.
 Gusher, Utah
 515 Smith, Ft. Collins, Colo.
 Lubbock, Texas
 Holly, Colo.
 Gwymon, Okla.
 3626 Dodson, Kansas City, Kans.
 Muskogee, Okla.
 7570 Brighton Blvd., Henderson, Colo.

10 W. 1st, La Junta, Colo.
 1025 Palmer, Delta, Colo.
 Box 448, Laramie, Wyo.
 Big Springs, Texas
 Grand Coteau, Louisiana
 4535 Yarrow, Wheatridge, Colo.
 Guthrie, Oklahoma

1630 Las Vegas Blvd. No. Las Vegas, Nev.

721 Douglas St., Sterling, Colo.

501 W. Northern, Pueblo, Colo.
 315 W. Ouray, Grand Junction, Colo.
 Crystal City, Texas

Box 508, Kirtland, New Mex.
 1101 Pine, Chelsea, Okla.
 Rt 1 Box 320, Pueblo, Colo.
 Rt 3, Weatherford, Texas
 702 W. Tomichi, Gunnison, Colo.
 Moffet, Okla.
 Rt 3 Box 251, Amarillo, Texas
 Hinton, Iowa
 Box 291, Sterling, Colo.
 1810 W. 2nd, Hastings, Nebr.

12745 W. 15th Pl., Denver 15, Colo.
 259 E. Webster Ave., Memphis, Tenn.
 2926 North Ave., Grand Junction, Colo.
 Eads, Colo.

Gillette, Wyoming

This Order shall become effective ten days from the date hereof.

THE PUBLIC UTILITIES COMMISSION
 OF THE STATE OF COLORADO

Joseph I. Negro
Ralph C. [unclear]
Alvin J. [unclear]
 Commissioners.

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

IN THE MATTER OF THE APPLICATION)
OF THE SANGRE DE CRISTO ELECTRIC)
ASSOCIATION, INC., A COLORADO)
CORPORATION, BUENA VISTA, COLORADO,) APPLICATION NO. 19494
FOR PERMISSION TO BORROW MONEY FROM) Securities
THE RURAL ELECTRIFICATION ADMINIS-)
TRATION.)

S T A T E M E N T

By the Commission:

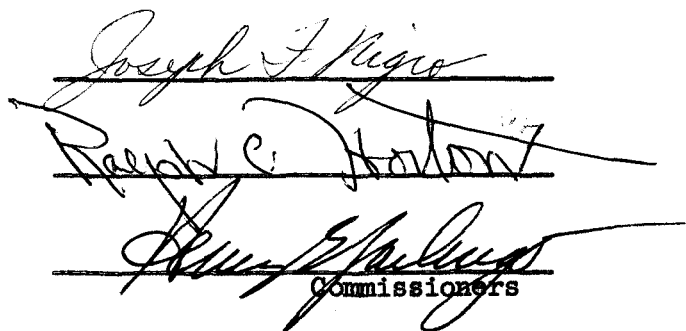
Upon considration of the application of Sangre De Cristo Electric Association, Inc., a corporation, in the above styled matter:

O R D E R

THE COMMISSION ORDERS:

That a public hearing be held, commencing on December 10, 1962, at 2:00 o'clock P. 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 proceeding. Intervention petitions should be filed with the Commission on or before December 4, 1962, 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


Commissioners

Dated at Denver, Colorado,
this 30th day of November, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE INCREASED TAXI FARES AND)
BAGGAGE CHARGES - BRIGHTON)
CAB -----)

INVESTIGATION AND SUSPENSION
DOCKET NO. 504

November 30, 1962

S T A T E M E N T

BY THE COMMISSION:

On October 31, 1962, Mac Bickling, owner of Brighton Cab, 50 South First Street, Brighton, Colorado, filed his tariff PUC No. 2, naming increased fares and charges for the transportation of passengers and baggage within the City of Brighton, Colorado, etc. scheduled to become effective December 1, 1962.

The present fare, day rate, is a flag drop of 35 cents for the first mile and 5 cents for each one-fifth mile thereafter as contrasted with the proposed fare of 40 cents for the first half-mile and 5 cents for each one-sixth mile thereafter. The present fare for a trip of one mile is increased from 35 cents to 55 cents or an increase of 57 percent. The present fare, night rate, is 55 cents for the first mile and 5 cents for each one-fifth mile thereafter as contrasted with the proposed fare of 50 cents for the first one-half mile and 5 cents for each extra passenger. Charges for the transportation of trunks are increased from 25 cents to 50 cents for an increase of 100%.

The increased fares and charges may, if permitted to become effective, result in increases 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 fares and charges contained therein.

F I N D I N G S

THE COMMISSION FINDS, That:

Upon its own motion, without formal pleading, the schedules as referred to in the statement herein should be suspended and that it enter upon a hearing concerning the lawfulness thereof.

O R D E R

THE COMMISSION ORDERS, That:

1. The Statement and Findings be, and they are hereby made a part hereof.
2. It shall, upon its own motion, enter upon a hearing concerning the lawfulness of the fares and charges resulting from the publication of tariff PUC No. 2, Mac Bickling, dba Brighton Cab, scheduled to become effective December 1, 1962.
3. The operation of said schedules be and is hereby suspended, and the use thereof be deferred to and including March 30, 1963, unless otherwise ordered by the Commission.
4. Neither the schedules hereby suspended nor those sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension or any extension thereof has expired, unless otherwise ordered by the Commission.
5. Seven days prior to the hearing date 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.
6. A copy of this order be filed with the schedule in the office of the commission and also served upon George Fischer, Esq., 35 South Main Street, Brighton, Colorado and Mac Bickling, owner of Brighton Cab, 50 South First Street, Brighton, Colorado.

7. This Investigation and Suspension Docket No. 504 be,
and the same is hereby set for hearing before the Commission at a
future date to be determined with due notice of such date and
place of hearing being given interested parties.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Sigua
Robert C. Hobart
Henry G. Spence
Commissioners

Dated at Denver, Colorado this
30th day of November, 1962.

jbw

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MAX MONTOYA AND ELSIA MONTOYA, CO-)
PARTNERS, DOING BUSINESS AS "CITY)
CAB," 333 OAKLAND, LAS ANIMAS, COLO-)
RADO, FOR A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY TO OPERATE)
AS A COMMON CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 19252

December 4, 1962

Appearances: Wilkie Ham, Esq., Lamar, Colo-
rado, for Applicants;
Fred E. Sisk, Esq., Las Animas,
Colorado, for Donald F. Foulk,
doing business as "Fort Lyon
Bus & Taxi Service;"
Ralph N. Wadleigh, Esq., La
Junta, Colorado, for La Junta
Cab Company, Inc., R. E. Alls-
worth.

S T A T E M E N T

By the Commission:

Applicants herein seek a certificate of public convenience and necessity, authorizing operations as a common carrier by motor vehicle for hire, for the transportation of passengers, in taxicab service.

Said application was regularly set for hearing before the Commission, at one o'clock P. M., November 15, 1962, at the Court House, La Junta, Colorado, due notice thereof being forwarded to all parties in interest.

On November 5, 1962, 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 time and place designated for hearing, Max Montoya, one of applicants herein, appeared and testified in support of said application, stating that he and his wife, Elsie Montoya, are applicants herein; that he has lived in Las Animas for fifteen years, and that he works at the hospital in Fort Lyons and owns his home; that he and his wife had operated a taxicab service out of their home in Las Animas for Donald F. Foulk; that in his proposed service, he would use tow cabs-- a Chevrolet and a Pontiac; that there is a large Spanish-American population in Las Animas, and a Spanish-speaking taxicab operator is desirable; that there is a demand for said service, both within the City of Las Animas, and from and to and within the area sought in this application; that he works five days a week at Fort Lyons, and could drive on Saturdays and Sundays.

Elsie Montoya also appeared and testified that she assisted her husband when operating a taxicab for Donald F. Foulk, by taking telephone calls and driving a cab; that the agreement between her husband and Foulk provided for a fifty-fifty division of the receipts between the parties; that Foulk took the taxicab away from her husband, when he would not agree to increase the percentage to Mr. Foulk.

Francis Graham testified he worked in a service station in Las Animas, and had been in that business for three years; that the taxicab business, as operated by the Montoyas, was satisfactory.

Ollie Dodson testified he was a Nursing Assistant at the Veterans' Hospital at Fort Lyons; that as such, he had been unable to get a cab on occasions, to go from Las Animas to Fort Lyon.

Maude Deatherage testified she lived in Fort Lyon, and had had occasion to use taxicabs to go from her home to the doctor, the

laundry, and for groceries; that she had used the taxicab service performed by the Montoyas for Donald F. Foulk, and that said service was satisfactory; that she had had some trouble getting service since the Montoyas stopped.

Donald F. Foulk appeared and testified he is the owner of PUC 305; that under this certificate, he operates a bus line from Las Animas to Fort Lyon, and a taxicab service in the City of Las Animas and surrounding country; that he had entered into an agreement with Max Montoya, one of applicants herein, to operate a taxicab service under said PUC No. 305; that the agreement provided for sharing the repairs, and Montoya to receive one-third of the net, but not less than \$75 per month; that he drives the bus between Las Animas and Fort Lyon; that this takes a large part of his time; that his wife, who is employed at the Veterans' Hospital in Fort Lyon, assists him in the operation of his transportation business; that he advertises his taxicab business by card and in the local newspapers; that his financial statement, designated herein as "Exhibit O," shows a small net, but he has not broken down and set out separate earnings for bus and taxi, but had lumped all receipts; that he has taken away the taxicab authority he had given to applicant herein, because he deemed Montoya's services unsatisfactory; that he has engaged Paul Medina, a Spanish-American, and has assigned a 1961 Ford for taxicab purposes to Medina; that Medina maintains the taxicab office in his home; that he does not pay Medina a salary, nor does he provide Social Security for Medina; that the population of Las Animas is 3,500.

Paul Medina testified he lives in Las Animas, and works at the Veterans' Hospital in Fort Lyon; that he is a Spanish-American; that he has entered into a fifty-fifty agreement with Donald F. Fould, to operate Foulk's taxicab business; that he has had a telephone installed in his home; that both he and his daughter drive the taxicab.

Lucille Foulk, of Las Animas, Colorado, appeared and testified that she is employed at Fort Lyon; that on her days off, she assists her husband in the operation of his transportation business, answering the telephone, and as a relief driver; that the telephone is in the Foulk home.

Donald Delaney, Wilson Huston, Don Moreland testified that they lived in Las Animas, and were available as drivers for Donald F. Foulk.

George Hayter testified he is a cafe operator in Las Animas; that Foulk has a card advertising his taxicab service in the cafe window; that the present taxicab service is questionable.

Robert G. Foulk testified that he lived in Las Animas; that he is a nephew of Donald F. Foulk, and that he would be available as a driver for his uncle, if necessary.

William T. Waters testified he was in the garage business in Las Animas; that he takes care of the cars and buses owned by Donald Foulk, and used by Foulk in his transportation business; that he checks this equipment, and sees that it is in proper operating condition.

Ralston Allsworth testified he resides in La Junta, and is the manager and officer of the La Junta Cab Company, Inc.; that his company uses three cabs, with three drivers, and three dispatchers; that the net earnings of La Junta Cab Company, Inc., are between \$2,000 and \$2,400; that the granting of the instant application would materially affect the earnings of his company.

Findings of the Examiner are that applicants herein seek authority within the City of Las Animas and a fifty-mile radius thereof, which includes Fort Lyon Veterans' Hospital; that said radius covers a large part of the operating rights heretofore granted by this Commission in PUC No. 305 and PUC No. 1519, owned by Donald F. Foulk and La Junta Cab Company, Inc., respectively, protestants herein; that both are rendering good service, and are operating on a marginal basis; that

any material reduction of revenue on the part of either of these protestants could result in the loss of some of the taxicab service now being used; that applicant, Max Montoya, is now employed at the Veterans' Hospital at Fort Lyon, and could not devote the necessary time to the operation of his proposed service; that the taxicab business, as it exists now, and the potential for the future, is such that any additional authority could not exist, except as a supplement to applicant's present income, all of which is not in the public interest; that while applicants' witnesses did like the service rendered by them when they operated for Don Foulk, it must be remembered this good service was primarily rendered by applicant when he was working under said Foulk; that no one protested or complained of the present operation being offered by Mr. Foulk; that the La Junta Cab Company, Inc., is rendering a good and sufficient service, one which no complaint of service was shown; that while applicants are experienced, and could render a good taxi service, there is no evidence in the record to show that public convenience and necessity require the service sought by applicants herein.

Report of the Examiner recommends that said application be denied.

F I N D I N G S

THE COMMISSION FINDS:

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

That after reviewing the evidence adduced at the hearing, as reported by the Examiner herein, we find that the instant application should be denied.

O R D E R

THE COMMISSION ORDERS:

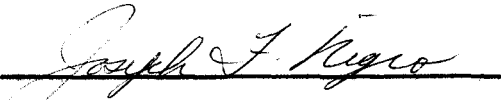


That Report of the Examiner referred to in the above and

foregoing Findings be, and the same hereby is, approved.

That Application No. 19252 be, and the same hereby is,
denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

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

mls

original

(Decision No. 59743)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ROY NAUMANN, SIMLA, COLORADO, FOR)
AUTHORITY TO EXTEND OPERATIONS UNDER) APPLICATION NO. 19424-PP-Extension
PERMIT NO. B-3127.)

December 4, 1962

Appearances: Jack Foutch, Esq., Colorado
Springs, Colorado, for
Applicant;
Robert Boyce, Pueblo, Colo-
rado, for Boyce House
Movers.

STATEMENT AND FINDINGS OF FACT

By the Commission:

The applicant is the owner of Private Carrier Permit No.
B-3127, which authorizes operation as a private carrier by motor ve-
hicle for hire, as follows:

transportation of buildings, including
granaries, between points within a radius
of seventy-five (75) miles of Flagler,
Colorado;

transportation of buildings between points
within the area described as Colorado High-
way 109 on the east, extending 75 miles
north, 75 miles south of Genoa, and the
semi-circular area extending 75 miles west
of said Colorado Highway No. 109, with
Genoa, Colorado, as the center of operations,

and by the instant application, applicant seeks to extend and enlarge
such permit to authorize the transportation of buildings, including
granaries, within the following radius: Highway Junction 24-94 on the
East, extending twenty-five miles north, twenty-five miles west,
twenty-five miles south, in a semi-circular area, to connect with pre-
sent area under said Permit No. B-3127.

The application was set for hearing on November 13, 1962,

at ten o'clock A. M., at the County Office Building, Colorado Springs, 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 there is a need for the proposed transportation services and the applicant will have sufficient equipment and experience to properly carry on the proposed operation and the applicant's financial standing is established to the satisfaction of the Commission.

That the evidence presented in opposition to the granting of the application is too general, indefinite, and uncertain for the Commission to be of the opinion that the proposed operation as hereinafter authorized will impair the efficient public services of any authorized motor vehicle common carrier or carriers adequately serving the same territory over the same general highway route or routes.

That granting the authority will be in the public interest and the application should be granted as provided in the following Order.

O R D E R

THE COMMISSION ORDERS:

That Roy Naumann, Simla, Colorado, be, and hereby is authorized to extend operations under Permit No. B-3127 to include the right to transport buildings, including granaries, within the following radius: Highway Junction 24-94 on the east, extending 25 miles north, 25 miles west, 25 miles south, in a semi-circular area, to connect with present area under said Permit No. 3127, and this Order is the authorization therefor.

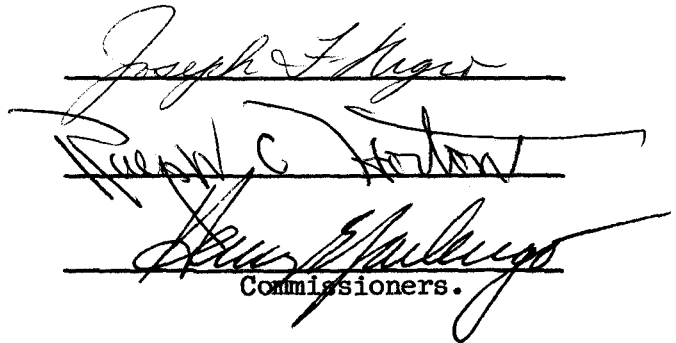
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

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

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE INCREASED AND REDUCED CHARGES) APPLICABLE TO EXPRESS SHIPMENTS) VIA CERTAIN BUS CARRIERS. _ _ _ _ _)	INVESTIGATION AND SUSPENSION DOCKET NO. 505
--	--

_ _ _ _ _
November 30, 1962
_ _ _ _ _

S T A T E M E N T

BY THE COMMISSION:

On October 25, 1962, P. J. Campbell, Chairman, National Bus Traffic Association, Inc., Agent, filed for account of Colorado Motorway Inc., Denver-Boulder Bus Company and Colorado Transportation Company, doing business as Rocky Mountain Motor Company increased and reduced charges as shown below, applicable to express shipments moving locally over their lines, published to become effective December 1, 1962.

Present Charges

2nd Revised Page G-2, Western Express Tariff No. A-605-A, PUC No. 63.

Local Exception No. 2:

Locally on the lines of the above listed carriers, in lieu of charges shown in Section D hereof, the charges shown below will apply for distances of one hundred twenty (120) miles or less. Over one hundred twenty (120) miles, charges shown in Section D will apply.

Miles	Poundage										
	0-2	2-10	10-20	20-30	30-40	40-50	50-60	60-70	70-80	80-90	90-100
0-35	.75	.75	.85	.95	1.00	1.05	1.10	1.15	1.25	1.30	1.35
35.1-120	1.00	1.05	1.15	1.35	1.55	1.75	1.90	2.10	2.30	2.55	2.70

Exception: The minimum charge between Denver on the one hand and Blackhawk, Central City, Nederland and Rollinsville, on the other hand; and between all stations in Mountain Territory, will be one (\$1.00) dollar.

Note: As used herein, the Mountain Territory shall constitute that part of the State of Colorado west of a line beginning at a point where U. S. Highway No. 285 (now 287) crosses the Colorado Wyoming State Line, thence on and east of said highway and through Ft. Collins, Longmont, and Boulder to Denver (including Golden and Fort Logan); thence on and east of U. S. Highway No. 85 to Colorado Springs; thence on and east to State Highways Nos. 115 and 120 to Canon City, thence south and east via an air line through Wetmore and Beulah to Crow; thence on and east of U. S. Highway No. 85 through Walsenburg and Trinidad,

Note: (Continued)

to a point where said highway crosses the Colorado-New Mexico State Line.

Proposed Charges

3rd Revised Page G-2, Western Express Tariff No. A-605-A, PUC No. 63.

Local Exception No. 2:

- (A) Locally on the lines of the above listed carriers, the
(R) minimum charges applicable to Express shipments will be the charges published in Table I, Section D for scale No. 3-77-63-89.

Section D

		Table I										
Scale No.		Poundage										
		0-2	2-10	10-20	20-30	30-40	40-50	50-60	60-70	70-80	80-90	90-100
3-77-63-89		1.00	1.10	1.25	1.40	1.60	1.75	1.90	2.05	2.20	2.40	2.55

Charges on shipments weighing over one hundred (100) pounds must be determined by multiplying the rate for one hundred (100) pound shipment by the number of pounds in the shipment and dividing the product by one hundred (100), adding sufficient, when necessary to make the charge end in "0" or "5".

- (A) denotes increase
(R) denotes reduction

The increased rates and charges may, if permitted to become effective, result in increases 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 rates and charges contained therein.

F I N D I N G S

THE COMMISSION FINDS:

That upon its own motion, without formal pleading, the schedules as referred to in the order herein should be suspended and that it enter upon a hearing concerning the lawfulness thereof.

O R D E R

THE COMMISSION ORDERS, That:

1. The Statement and Findings be, and they are hereby made a part hereof.

2. It shall, upon its own motion enter upon a hearing concerning the lawfulness of the rates and charges resulting from the publication of local Exception No. 2 set forth on Third Revised Page G-2, National Bus Traffic Association, Inc., Agent, Colorado P.U.C. No. 63, Tariff Western Express No. A-605-A, scheduled to become effective December 1, 1962.

3. The operation of said schedules be and is hereby suspended and the use thereof be deferred to and including March 31, 1963, unless otherwise ordered by the Commission.


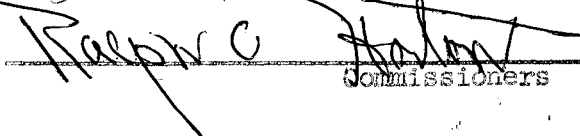
4. Neither the schedules hereby suspended nor those sought to be altered shall be changed until this proceeding has been disposed of or until the period of suspension or any extension thereof has expired, unless otherwise ordered by the Commission.

5. Seven days prior to the hearing date, 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.

6. A copy of this order be filed with the schedule in the office of the Commission and also be served upon P. J. Campbell, Chairman, National Bus Traffic Association, Inc., Agent, 506 South Wabash Avenue, Chicago 5, Illinois; I. B. James, President, Colorado Motorway, Inc. 1805 Broadway, Denver 2, Colorado; and D. B. James, President, Denver-Boulder Bus Company, 1730 Broadway, Denver 2, Colorado.

7. This Investigation and Suspension Docket No. 505, be, and the same is hereby set for hearing before the Commission on December 12, 1962, at 10:00 A.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
30th day of November, 1962.

COMMISSIONER ZAKLENKO NECESSARILY ABSENT AND DID NOT PARTICIPATE

original

(Decision No. 59745)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
THE MOUNTAIN EXPRESS TRUCK LINE,)
1502 WEST ST. VRAIN, COLORADO) PUC NO. 32
SPRINGS, COLORADO.)
-----)

December 4, 1962

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from The Mountain Express Truck Line, owner of PUC No. 32, 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 PUC No. 32.

Rule 24 (a) of Rules and Regulations Governing Common Carriers by Motor Vehicle, effective June 1, 1960, provides:

"That unless such carrier shall have secured a written waiver from the Commission, no Common Carrier by motor vehicle, except motor vehicle carriers supplemental to railroad transportation and on railroad bills of lading, shall accept any C.O.D. shipments or otherwise collect money from any consignee to be paid to any consignor, or render any C.O.D. service, unless such carrier has published, posted, and filed with this Commission tariffs which contain rates, charges and rules governing such service (which rules shall conform to this Rule), and unless such carrier shall have on file with this 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."

The financial statement of applicant on file with the Commission is satisfactory; therefore,

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted.

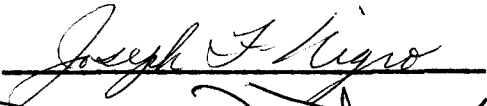
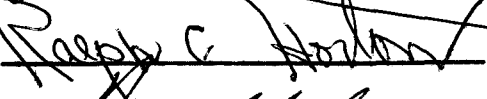

O R D E R

THE COMMISSION ORDERS:

That The Mountain Express Truck Line, Colorado Springs, Colorado, be, and hereby is, granted a written waiver of the provisions of Section (a) of Rule 24 of Rules and Regulations Governing Common 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 PUC No. 32.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

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

ea

revised

(Decision No. 59746)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
DELBERT FARRA, ROUTE 2, BOX 25,)	
MONTROSE, COLORADO, FOR AUTHORITY)	APPLICATION NO. 13995-Lease
TO LEASE PERMIT NO. B-4818 TO)	<u>SUPPLEMENTAL ORDER</u>
HELEN FARRA, MONTROSE, COLORADO.)	
-----)	

December 4, 1962

S T A T E M E N T

By the Commission:

On December 29, 1955, the Commission entered its Decision No. 45063 in the above-styled matter, authorizing Delbert Farra, Montrose, Colorado, to lease Permit No. B-4818 to Helen Farra, Montrose, Colorado, for a term of one year, as per Lease Agreement filed with the Commission on November 22, 1955.

On June 23, 1958, the Commission entered its Decision No. 50463 in said above-styled matter, authorizing Delbert Farra, Montrose, Colorado, to extend for a period of five years from November 21, 1956, leasing of Permit No. B-4818, previously approved by Decision No. 45063.

The Commission is now in receipt of a communication, signed by Delbert Farra and Helen Farra, requesting extension of said Lease Agreement for a period of five years from November 21, 1961.

F I N D I N G S

THE COMMISSION FINDS:

That the leasing of Permit No. B-4818, as set forth in Lease Agreement filed with the Commission on November 22, 1955, which is made a part hereof, by reference, for an additional period of five years, from Delbert Farra, Montrose, Colorado, to Helen Farra, Montrose, Colorado, is in the public interest, and that application so to lease should be approved by this Commission.

O R D E R

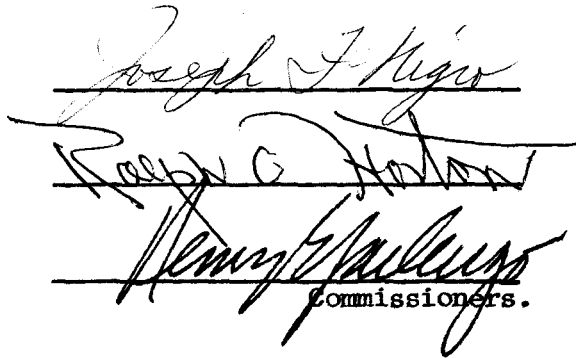
THE COMMISSION ORDERS:

That Delbert Farra, Montrose, Colorado, be, and he hereby is, authorized to extend, for a period of five years from November 21, 1961, leasing of Permit No. B-4818, heretofore approved by this Commission by Decision No. 45063, of date December 29, 1955, and Decision No. 50463, of date June 23, 1958, to Helen Farra, Montrose, Colorado, as per terms of Lease Agreement filed with this Commission on November 22, 1955, which Lease Agreement being made a part hereof by reference.

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

This Order is made a part of the permit authorized to be leased, and shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

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

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
LESLIE K. FARMER, P. O. BOX 91,)	
FRISCO, COLORADO, FOR A CERTIFICATE)	
OF PUBLIC CONVENIENCE AND NECESSITY)	<u>APPLICATION NO. 19447-Extension</u>
AUTHORIZING EXTENSION OF OPERATIONS)	
UNDER PUC NO. 5318.)	
-----)	

December 4, 1962

Appearances: Peter Cosgriff, Esq.,
Leadville, Colorado,
for Applicant.

S T A T E M E N T

By the Commission:

Applicant herein is the owner and operator of PUC No.
5318, authorizing operation as a common carrier by motor vehicle
for hire, for the transportation of:

garbage, ashes, trash, and other waste
materials within the entire limits of
Summit County, Colorado, excluding,
however, any service to the City of
Breckenridge, Colorado.

By the above-styled application, said certificate-holder
seeks a certificate of public convenience and necessity, author-
izing extension of operations under said PUC No. 5318, to include
the right to transport ashes, trash, garbage, rubbish, rock, dirt,
scrap, and waste, within the corporate limits of the Town of Breck-
enridge, Colorado.

Said application was regularly set for hearing before the
Commission, at the Court House, Breckenridge, Colorado, November 27,
1962, at ten o'clock A. M., due notice thereof being forwarded to all
parties in interest.

On November 5, 1962, 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 for 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, applicant herein appeared and testified in support of his application, stating he is presently engaged in transportation of ashes, trash, and other waste materials in the County of Summit, except the Town of Breckenridge; that by the instant application, he seeks a like authority in the Town of Breckenridge, the application being amended to show that the commodities to be transported would be "ashes, trash, and other waste materials;" that he has received many requests from people of Breckenridge for said service; that he is presently operating under Temporary Authority issued by this Commission; that under such authority he has many customers; that there is a definite need for his proposed service; that there are many new businesses being established in the Town of Breckenridge that need a trash service; that he has a 1953 International two-ton truck, and a net worth of \$20,000.

Peter Cosgriff, Attorney for Applicant, was sworn and introduced and identified several petitions from citizens of the Town of Breckenridge, together with a letter from the Town Clerk, wherein the application of Leslie K. Farmer for trash service within the Town of Breckenridge was approved.

Mrs. Gladys Evans testified she is a resident of the Town of Breckenridge, and has known applicant herein for five years; that, in her opinion, he would do a good job if authority herein sought is granted.

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 now operating under both permanent and temporary authority of the County of

Summit; that his proposed service, wherein he will pick up and dispose of ashes, trash, and other waste materials, as needed; that public convenience and necessity require such service; that applicant is a fit and proper person, has sufficient equipment, and is financially able to render said service.

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 public convenience and necessity require applicant's proposed 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 Leslie K. Farmer, Frisco, Colorado, and that in the future, operating rights under PUC No. 5318 shall be as follows:

transportation of ashes, trash, and other waste materials, between points in all of Summit County, Colorado,

and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Jay F. Higin
Reuben C. Horton
Henry J. Sullivan
Commissioners.

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

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
WILLIAM L. ANGEL, P. O. BOX 894,)
SCOTTSBLUFF, NEBRASKA.)
)
)
-----)

PERMIT NO. B-6273

December 3, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from William L. Angel,
Scottsbluff, Nebraska
requesting that Permit No. B-6273 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-6273, heretofore issued to William L. Angel,
Scottsbluff, Nebraska be,
and the same is hereby, declared cancelled effective October 15, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,
this 13th day of December, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
VERNON DLUGOSH, P. O. BOX 37, WILLOW)
ISLAND, NEBRASKA.)
)
)
-----)

PERMIT NO. M-10362

December 13, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Vernon Dlugosh,
Willow Island, Nebraska
requesting that Permit No. M-10362 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10362, heretofore issued to Vernon Dlugosh,
Willow Island, Nebraska be,
and the same is hereby, declared cancelled effective November 26, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Johnson
Henry E. Zank
Commissioners

Dated at Denver, Colorado,
this 13th day of December, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
VERNON DLUGOSH, P. O. BOX 37,)
WILLOW ISLAND, NEBRASKA.)

PUC NO. 4213-I

December 13, 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 his PUC No. 4213-I be suspended for six months from November 26, 1962.

F I N D I N G STHE COMMISSION FINDS:

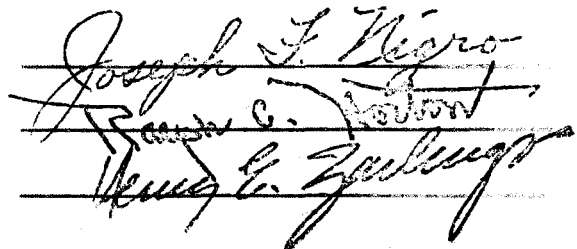
That the request should be granted.

O R D E RTHE COMMISSION ORDERS:

That Vernon Dlugosh, Willow Island, Nebraska

be, and is hereby, authorized to suspend operations under PUC No. 4213-I until May 26, 1963.

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 13th day of December, 196 2.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
DON FLEET, DOING BUSINESS AS, "O. K.)
RUBBER WELDERS", RURAL ROUTE 2 BOX)
128, GOLDEN, COLORADO.) PERMIT NO. M-2889
-----)
-----)

December 13, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Don Fleet, doing
business as, "O. K. Rubber Welders", Golden, Colorado
requesting that Permit No. M-2889 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2889, heretofore issued to Don Fleet, doing business
as, "O. K. Rubber Welders", Golden, Colorado be,
and the same is hereby, declared cancelled effective October 25, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
George C. Nelson
Henry E. Zank
Commissioners

Dated at Denver, Colorado,
this 13th day of December, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
INTERMOUNTAIN GLASS AND METAL COMPANY }
(CORPORATION), 615 PITKIN AVENUE, }
GRAND JUNCTION, COLORADO. }
-----)

PERMIT NO. M-41144

December 13, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Intermountain Glass and Metal Company (Corporation), Grand Junction, Colorado requesting that Permit No. M-41144 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-41144, heretofore issued to Intermountain Glass and Metal Company (Corporation), Grand Junction, Colorado be, and the same is hereby, declared cancelled effective August 1, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Tolson
Commissioners

Dated at Denver, Colorado,
this 13th day of December, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
PAUL SEWALD, JR., P. O. BOX 142,)
STERLING, COLORADO.)
)
)
-----)

PERMIT NO. M-1067

December 13, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Paul Sewald, Jr.,
Sterling, Colorado
requesting that Permit No. M-1067 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1067, heretofore issued to Paul Sewald, Jr.,
Sterling, Colorado be,
and the same is hereby, declared cancelled effective October 3, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO
Joseph F. Negro
Frank C. Tolson
Henry E. Zuckerman
Commissioners

Dated at Denver, Colorado,
this 13th day of December, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
PAUL SEWALD, JR., P. O. BOX)
142, STERLING, COLORADO.)

PUC NO. 4381-I

December 13, 1962

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Paul Sewald, Jr.,
Sterling, Colorado

requesting that Certificate of Public Convenience and Necessity No. 4381-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. 4381-I heretofore issued to Paul Sewald,
Jr., Sterling, Colorado

be, and the same is hereby, declared cancelled effective October 3, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph J. Nigro
Joseph C. Johnson
Commissioners

Dated at Denver, Colorado
this 13th day of December, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
H. W. MC CURDY, P. O. BOX 287,)
LYONS, COLORADO.)
)
)
-----)

PERMIT NO. M-1360

December 13, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from H. W. Mc Curdy,
Lyons, Colorado
requesting that Permit No. M-1360 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1360, heretofore issued to H. W. Mc Curdy,
Lyons, Colorado be,
and the same is hereby, declared cancelled effective November 16, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,
this 13th day of December, 19 62.

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
JOHN E. CLARK AND H. O. MC CAIN,)	
DOING BUSINESS AS "CLARK & MC CAIN)	
CONSTRUCTION," P. O. BOX 61,)	
BRECKENRIDGE, COLORADO, FOR A)	APPLICATION NO. 19448-PP
CLASS "B" PERMIT TO OPERATE AS A)	
PRIVATE CARRIER BY MOTOR VEHICLE)	
FOR HIRE.)	
-----)	

December 4, 1962

Appearances: John E. Clark, Breckenridge,
Colorado, for Applicants;
Leslie R. Kehl, Esq., and
James Whitaker, Esq., Denver,
Colorado, for Fairplay
Motor Company.

S T A T E M E N T

By the Commission:

By the above-styled application, applicants herein sought 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, transportation of road-surfacing materials to be restricted against the use of tank vehicles; ore, from and to points within a radius of fifty miles of Breckenridge, Colorado; heavy equipment, between points in Summit County, Colorado.

Said application was regularly set for hearing before the Commission, at the Court House, Breckenridge, Colorado, November 27, 1962, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On November 5, 1962, 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 time and place designated for hearing, upon oral stipulation the application was amended, by deleting therefrom the commodities "ore and heavy equipment," and including "construction equipment," between points in Summit County, Colorado.

In view of said amendment, which was restrictive in nature, protestant withdrew protest to the granting of authority herein sought.

Report of said Examiner further states that John E. Clark, one of applicants herein, appeared at the hearing and testified in support of the application, stating that he and H. O. McCain are engaged in the construction business at Breckenridge; that they are the owners of a 1949 G.M.C. Diesel Tractor five-ton, a home-made trailer, and a dump truck; that the net worth of said partnership is \$25,000; that there is no local service for transportation of contractors' equipment, and that the partnership receives calls for this type of service.

Dave Edwards appeared and testified he is engaged in construction work; that in his business it is necessary to transport construction machinery from job to job, and sometimes on a job; that there is no local common carrier who can perform this work; that the cost of getting outside service increased the cost of transportation above what is fair.

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 applicant herein are fit and proper persons, have sufficient equipment, and are financially able to render their proposed service; 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.

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 applicant; That applicants herein 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 John E. Clark and H. O. McCain, doing business as "Clark & McCain Construction," Breckenridge, 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 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, transportation of road-surfacing materials being restricted against the use of tank vehicles; construction equipment, between points in Summit County, 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 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

Frederic C. Hobart

Harry J. Paulsen
Commissioners.

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

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

EDWARD KIRKWOOD, 3717 RED CANON)
AVENUE, COLORADO SPRINGS, COLORADO.)
-----)

PERMIT NO. M-13803

December 6, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Edward Kirkwood,
Colorado Springs, Colorado
requesting that Permit No. M-13803 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13803, heretofore issued to Edward Kirkwood,
Colorado Springs, Colorado be,
and the same is hereby, declared cancelled effective November 1, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Hobart
Wm. C. Zerk
Commissioners

Dated at Denver, Colorado,
this 6th day of December, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CARPER BROTHERS DENTAL LABORATORY,)
INC., P. O. BOX 446, DENVER, COLO-)
RADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)
-----)

APPLICATION NO. 19451-PP

December 4, 1962

Appearances: Samuel J. Eaton, Esq.,
Denver, Colorado, for
Applicant.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the instant application, the applicant seeks authority to engage in the transportation of dental supplies, from point to point in the City and County of Denver, and from said City and County of Denver, to any point in the Counties of Adams, Arapahoe, and Jefferson, State of Colorado, for Colorado Dental Supply Company, 1403 Speer Boulevard, Denver, Colorado, only.

The application was set for hearing on November 28, 1962, 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, the matter was taken under advisement, and 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 files and the written statement of the Examiner, states and finds:

That no one protests the granting of the application.

That there is a need for the proposed transportation services; that the applicant will have sufficient equipment and experience to

properly carry on the proposed operation; and, that the applicant's financial standing is established to the satisfaction of the Commission.

That granting the authority as provided in the following Order will be in the public interest and such authority should be granted.

O R D E R

THE COMMISSION ORDERS:

That Carper Brothers Dental Laboratory, Inc., Denver, Colorado, be, and hereby is, granted authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of dental supplies, from point to point in the City and County of Denver, and from said City and County of Denver, to any point in the Counties of Adams, Arapahoe, and Jefferson, State of Colorado, for Colorado Dental Supply Company, 1403 Speer Boulevard, Denver, Colorado, only, and this Order is a permit therefor.

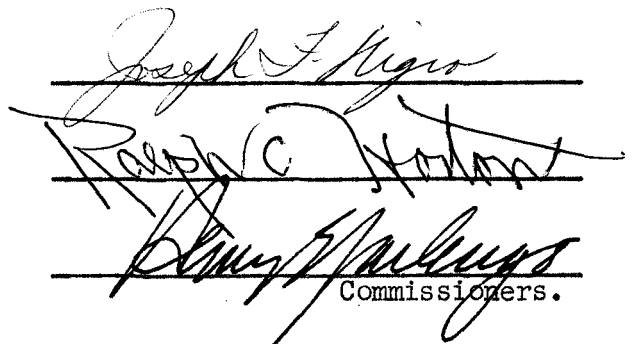
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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.

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

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ARLO L. NIELSEN AND G. B. THOMAS,)
DOING BUSINESS AS "MARK DISTRIBUTING)
CO.," 4700 SOUTH CHEROKEE, ENGLE-)
WOOD, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)
-----)

APPLICATION NO. 19450-PP

December 4, 1962

Appearances: Arlo L. Nielsen, Englewood,
Colorado, for Applicants.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the instant application, the applicant seeks authority to engage in the transportation of dry wall, for Home Lumber & Supply Company, only, from their plant located at 1225 West Belleview, Littleton, Colorado, to their customers in the City and County of Denver, and points within a radius of twenty-five miles of said City and County of Denver, Colorado.

The application was set for hearing on November 28, 1962, 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, the matter was taken under advisement, and 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 files and the written statement of the Examiner, states and finds:

That there is a need for the proposed transportation services; that the applicants will have sufficient equipment and experience to

properly carry on the proposed operation; and, that the applicants' financial standing is established to the satisfaction of the Commission.

That granting the authority as provided in the following Order will be in the public interest and such authority should be granted.

O R D E R

THE COMMISSION ORDERS:

That Arlo L. Nielsen and G. B. Thomas, doing business as "Mark Distributing Co.," Englewood, Colorado, be, and hereby is, granted authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of dry wall, for Home Lumber & Supply Company, only, from their plant located at 1225 West Belleview, Littleton, Colorado, to their customers in the City and County of Denver, and points within a radius of twenty-five miles of said City and County of Denver, Colorado, and this Order is a permit therefor.

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. Lyons
Randall C. Anderson
Henry J. Phillips
Commissioners.

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

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LEE D. WOSK, 1611 MONROE STREET,)
DENVER 6, COLORADO.)
)
)
)
-----)

PERMIT NO. M-11811

December 13, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Lee D. Wosk,
Denver 6, Colorado
requesting that Permit No. M-11811 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11811, heretofore issued to Lee D. Wosk,
Denver 6, Colorado be,
and the same is hereby, declared cancelled effective December 10, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO
Joseph F. Negro
Joseph C. [unclear]
Henry E. [unclear]
Commissioners

Dated at Denver, Colorado,
this 13th day of December, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
DAVE WOLFE LOADER AND EXCAVATING)
SERVICE, 4890 WEST VASSAR AVENUE,)
DENVER 19, COLORADO.)
-----)

PERMIT NO. B-3742

December 13, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Dave Wolfe Loader and
Excavating Service, Denver 19, Colorado
requesting that Permit No. B-3742 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-3742, heretofore issued to Dave Wolfe Loader and
Excavating Service, Denver 19, Colorado be,
and the same is hereby, declared cancelled effective December 3, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Hoston
Henry E. Spulung
Commissioners

Dated at Denver, Colorado,
this 13th day of December, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
H. A. THURSTON, DOING BUSINESS AS,)
"THE HANK THURSTIN COMPANY", 475)
ACOMA STREET, DENVER 4, COLORADO.)
-----)

PERMIT NO. M-565

December 13, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from H. A. Thurston, doing business as, "The Hank Thurstin Company", Denver 4, Colorado requesting that Permit No. M-565 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-565, heretofore issued to H. A. Thurston, doing business as, "The Hank Thurstin Company", Denver 4, Colorado be, and the same is hereby, declared cancelled effective May 31, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Hordont
Wm. E. Zaulinger
Commissioners

Dated at Denver, Colorado,
this 13th day of December, 19 62.

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LAURA C. ZIMMERMAN, EXECUTRIX OF)
THE ESTATE OF PAUL G. ZIMMERMAN,)
DECEASED, 949 DONELAN, BURLINGTON,)
COLORADO, FOR AUTHORITY TO TRANSFER) APPLICATION NO. 19457-Transfer
PUC NO. 961 AND PUC NO. 961-I TO)
SAID LAURA C. ZIMMERMAN, DOING)
BUSINESS AS "ZIMMERMAN TRUCK LINES,")
949 DONELAN, BURLINGTON, COLORADO.)
-----)

December 4, 1962

Appearances: John R. Barry, Esq.,
Denver, Colorado, and
John C. Penny, Esq.,
Burlington, Colorado,
for applicants.

S T A T E M E N T

By the Commission:

By the instant application, Laura C. Zimmerman, Executrix of the Estate of Paul G. Zimmerman, Deceased, Burlington, Colorado, seeks authority to transfer operating rights under PUC No. 961 and PUC No. 961-I to Laura C. Zimmerman, doing business as "Zimmerman Truck Lines," Burlington, Colorado, the authority being as follows:

Transportation, not on schedule, on call and demand of farm products, including livestock, farm supplies (including lumber out of Burlington), farm equipment and used household furniture, out of, into, and between points: from Burlington 35 miles north; west to a point 5 miles west of Stratton; south to Kit Carson County line; and east to Colorado-Kansas state line; and for transportation of petroleum products and elevator products from Denver to above described area.

Extension and enlargement of operations under PUC 961 so that the base of his territory shall be bounded on the south by a line two miles south of the Kit Carson-Cheyenne County line and parallel thereto, and so that the commodity description shall include general commodities other than those requiring the use of tank trucks, with a load limit of 30,000 pounds.

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

The application for transfer was regularly set for hearing before the Commission, after statutory notice to all interested parties, and was heard at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, on November 30, 1962, at two o'clock P. M. At the conclusion of the evidence, the matter was taken under advisement.

At the hearing, the evidence disclosed that Laura C. Zimmerman, as Executrix of the Estate of Paul G. Zimmerman, is desirous of transferring PUC No. 961 and PUC No. 961-I to herself by virtue of "Order for Partial Distribution" issued by the County Court in and for the County of Kit Carson, State of Colorado, No. 2181, which was marked "Exhibit A" at the hearing.

The evidence further disclosed that transferee proposes to conduct the operations under said certificate substantially the same as formerly, there being ample equipment to do so; that there are no outstanding operating obligations against the certificate except current bills; and that if the transfer is authorized, transferee will abide by 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 transferee were established to the satisfaction of the Commission, and it would appear to be in the public interest to authorize the transfer.

F I N D I N G S

THE COMMISSION FINDS:

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 Laura C. Zimmerman, Executrix of the Estate of Paul G. Zimmerman, Deceased, Burlington, Colorado, be, and hereby is, authorized to transfer all right, title and interest in and to PUC No. 961 and PUC No. 961-I -- with authority as set forth in the Statement preceding, which is made a part hereof by reference -- to Laura C. Zimmerman, doing business as "Zimmerman Truck Line," Burlington, 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.

The transfer of interstate operating rights authorized herein 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
Raymond C. Horton
Harry E. Zolberg
Commissioners.

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

ea

original

(Decision No. 59764)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
BEKINS VAN & STORAGE COMPANY, 1955)	
SOUTH VALLEY HIGHWAY, DENVER, COLO-)	
RADO, FOR A CERTIFICATE OF PUBLIC)	
CONVENIENCE AND NECESSITY, AUTHOR-)	APPLICATION NO. 18779-Extension
IZING EXTENSION OF OPERATIONS)	
UNDER PUC NO. 338.)	
-----)	

December 4, 1962

S T A T E M E N T

By the Commission:

On April 16, 1961, the above-styled application was filed with the Commission, seeking a certificate of public convenience and necessity, authorizing extension of operations under PUC No. 338, to include the right to maintain offices and employ agents within the Denver Metropolitan Area, viz., within a ten-mile radius of the City Limits of 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 5, 1961, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest. Said hearing was thereafter vacated, upon request of Applicant herein.

Since that time, said matter has been held in abeyance by this Commission, and no request has been received from Applicant herein for hearing on said application.

The Commission is now desirous of closing its docket on long-pending applications. Therefore,

F I N D I N G S

THE COMMISSION FINDS:

That unless request for hearing of the above-styled application shall be received by the Commission from Applicant herein before

the effective date of this Order, said application should be dismissed, and the matter closed upon the docket of this Commission.


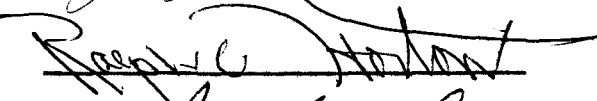

O R D E R

THE COMMISSION ORDERS:

That unless request for hearing of the above-styled application shall be received by the Commission from Applicant herein before the effective date of this Order, said application, without further notice, shall be dismissed, and said matter closed upon the docket of this Commission.

This Order shall become effective thirty (30) days from the date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

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

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
HERBERT L. BROWN, 702 MANITOBA,)
COLORADO SPRINGS, COLORADO.)
)
)
-----)

PERMIT NO. M-10548

December 13, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Herbert L. Brown,
Colorado Springs, Colorado
requesting that Permit No. M-10548 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10548, heretofore issued to Herbert L. Brown,
Colorado Springs, Colorado be,
and the same is hereby, declared cancelled effective November 23, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,
this 13th day of December, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LAWRENCE MEKELBURG AND MAXINE)
MEKELBURG, DOING BUSINESS AS, "YUMA)
IMPLEMENT COMPANY", HIGHWAY #34,)
YUMA, COLORADO.)
-----)

PERMIT NO. M-6259

December 13, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Lawrence Mekelburg and Maxine Mekelburg, doing business as, "Yuma Implement Company", Yuma, Colorado requesting that Permit No. M-6259 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6259, heretofore issued to Lawrence Mekelburg and Maxine Mekelburg, doing business as, "Yuma Implement Company", Yuma, Colorado be, and the same is hereby, declared cancelled effective November 29, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 13th day of December, 19 62.

* * *

RE MOTOR VEHICLE OPERATIONS OF)
GORDON MARTIN, 216 HARRISON)
AVENUE, CANON CITY, COLORADO.)
)
)
)

PERMIT NO. B-1776

December 13, 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-1776 be suspended for six months from December 8, 1962.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Gordon Martin, Canon City, Colorado

be, and is hereby, authorized to suspend his operations under Permit No. B-1776 until June 8, 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. Negro
Frank C. Woodard
Kung L. Zoullings
Commissioners

Dated at Denver, Colorado,
this 13th day of December, 19 62.

hc

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THOMAS J. FITZGERALD, 1569 ST. PAUL)
STREET, DENVER, COLORADO, TRUSTEE)
IN BANKRUPTCY, FOR SUBURBAN TRANSIT)
COMPANY, NO. 32062, U. S. DISTRICT)
COURT, DISTRICT OF COLORADO, 3395)
SOUTH LINCOLN STREET, ENGLEWOOD,)
COLORADO, FOR AUTHORITY TO TRANSFER)
PUC NO. 50 TO ERNEST M. HERBERTSON,)
DOING BUSINESS AS "ENGLEWOOD LITTLE-)
TON FT. LOGAN BUS COMPANY," 375 WEST)
BATES AVENUE, ENGLEWOOD, COLORADO.)
-----)

APPLICATION NO. 19397-Transfer

December 4, 1962

Appearances: Ernest M. Herbertson,
Englewood, Colorado,
for himself as Transferee.

S T A T E M E N T

By the Commission:

By the above-styled application, Thomas J. Fitzgerald,
Trustee in Bankruptcy for Suburban Transit Company, No. 32062,
U. S. District Court of Colorado, seeks authority to transfer
PUC No. 50 to Ernest M. Herbertson, doing business as "Englewood
Littleton Ft. Logan Bus Company," the authority herein being as follows:

PUC NO. 50

ENGLEWOOD BUS OPERATION

Transportation of passengers on schedule within
the following described area:

Bounded on the north by the City Limits of
Denver starting at the intersection of West
Hampden Avenue and Sheridan Boulevard; thence
northeasterly along the City Limits of Denver
to the intersection of West Yale Avenue and
South Federal Boulevard; thence easterly along
West Yale to a junction with the Denver City
Limits at South Pecos Street; thence easterly
along said Yale Avenue and following the City
Limit Line to South Downing Street; thence
southeasterly along the Denver City Limits Line
to South Colorado Boulevard; thence south along
South Colorado Boulevard as extended to Belle-
view Road; thence west along Bellevue Road to

the Arapahoe County Line; being South Sheridan Boulevard; thence north along South Sheridan Boulevard to West Hampden Avenue, the point of beginning, including that portion of a route extending within the Denver City Limits from South Downing Street east on Yale Avenue to Franklin Street; thence south on Franklin Street to East Amherst Avenue.

ARAPAHOE COUNTY FAIRGROUNDS

Transportation by bus between Englewood, Colorado, and the property of the Arapahoe County Fair Association located at the intersection of North Windemere Avenue and West Belleview Avenue, in the County of Arapahoe, State of Colorado, provided applicant will not pick up any passengers from Englewood for discharge at any other point than the Fairgrounds, neither shall applicant on his return trip, pick up any passengers between the Fairgrounds and any other point between there and Englewood; however, applicant shall have the right to discharge passengers picked up at the Fairgrounds at all points between the Fairgrounds and Englewood.

CHARTER BUS OPERATION

Transportation of school and church groups by motor vehicle on call and demand in chartered coaches, between Englewood, Colorado, and Littleton, Colorado, and between either of said points, on the one hand, and all other points in Colorado, on the other hand, without the usual restriction as to the origin of the chartered service when the same originates in either Englewood or Littleton.

CENTENNIAL TURF CLUB OPERATION

Transportation of passengers over the following routes when passengers are destined to the Centennial Turf Club, or are destined to Littleton, Colorado, or Englewood, Colorado, from the Centennial Turf Club:

Route 1: Starting at a point at the intersection of Girard and Lincoln Streets, in Englewood, proceeding south on Lincoln Street to Hampden; thence west on Hampden to the intersection of Santa Fe Drive (which is also U. S. Highway No. 85-87); thence south on Santa Fe Drive to Belleview; thence west on Belleview to the Centennial Turf Club, and returning on Belleview east to Santa Fe Drive; thence north on Santa Fe Drive to Hampden; thence east on Hampden to Bannock Street; thence north on Bannock to Girard; thence east on Girard to the intersection of Lincoln Street, the origin point.

Route 2: Commencing at a point in Littleton, Colorado, at the intersection of Main and Prince Streets and going northwesterly along Prince Street to the intersection of Santa Fe Drive; thence north on Santa Fe Drive to Belleview; thence west on Belleview to the Centennial Turf

Club, and returning east on Belleview to Santa Fe Drive; thence south on Santa Fe Drive to Prince Street; thence southeasterly on Prince Street to the intersection of Main Street in Littleton, the origin point.

ENGLEWOOD FRANCHISE

Authority to exercise the franchise right granted to applicant by the City Council of the City of Englewood in Ordinance No. 12, Series of 1952.

LAKEWOOD BUS OPERATION

Transportation of passengers, by bus, within the area embraced within the following boundaries, to-wit: Beginning at the intersection of West 20th Avenue and Sheridan Boulevard; thence south on Sheridan Boulevard to West 14th Avenue; thence west on West 14th Avenue to Lee Street; thence north on Lee Street to West 26th Avenue; thence east on West 26th Avenue to Wadsworth Boulevard; thence south on Wadsworth Boulevard to West 20th Avenue; thence east on West 20th Avenue to Sheridan Boulevard, the point of beginning, said area being immediately adjacent to the City of Denver, Colorado.

LITTLETON OPERATION

Transportation of passengers and their hand baggage, on schedule, as required by the public convenience, between points in the following described area, embraced within the following boundaries, to-wit: Beginning at Girard Street and Broadway in Englewood; thence south along South Broadway to Littleton Boulevard; thence West along Littleton Boulevard and Main Street to Littleton, Colorado, and return by the same route, including also service in the following described area: bounded on the south and west by the Arapahoe County Line; on the north by Belleview Road; on the east by Colorado Boulevard, as extended.

The application was set for hearing on November 23, 1962, in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, at two-thirty P. M., and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, the Commission file revealed to contain a copy of "Petition to Sell Property" No. 32062 from the United States District Court for the District of Colorado -- In the Matter of Suburban Transit Company, Bankrupt, dated September 18, 1962, signed by Thos. J. Fitzgerald, Trustee in Bankruptcy, and an Order for

Sale of Assets, No. 32067 from the United States District Court, for the District of Colorado, In the Matter of Suburban Transit Company, dated September 18, 1962, signed by B. C. Hilliard, Jr., Referee in Bankruptcy, and an Application to Transfer PUC No. 50 signed by Thos. J. Fitzgerald, Transferor, Trustee in Bankruptcy - Suburban Transit Company No. 32062, U. S. District Court, District of Colorado and Ernest M. Herbertson, Transferee.

Mr. Herbertson testified that he intended to operate the bus line himself; that for the present, he proposed to operate only one route between Englewood and Littleton via Ft. Logan and Centennial Acres. He also stated he would like to retain the charter authority as now contained in PUC No. 50 and requested to eliminate that part of the authority serving the Lakewood area. At the same time, he would, if there was sufficient demand for extended service in Englewood proper, render the service if their revenues would pay for the additional service. At the same time, he requested temporary authority to serve the proposed routes on a trial basis.

I. Bernheim, PUC Investigator, testified regarding the authority contained in PUC No. 50; also, that investigations had been made concerning the operation of Suburban Transit Company; and also, the proposed operation of Englewood Littleton Ft. Logan Bus Company. He stated there was a need for the service between Englewood and Littleton; also, he was in favor of a temporary authority being granted for a trial to establish revenues, expenses, routes, schedules, fares and rider habits, and he could see no objection to the abandonment of the Lakewood operation as several previous owners of the Lakewood line were unable to make the line a paying one.

At the hearing, it appeared the transferee, financially and otherwise, is qualified to carry on the operation; that there are no obligations against said certificate; and no one appeared in opposition to granting of the authority.

F I N D I N G S

THE COMMISSION FINDS:

That PUC No. 50 was suspended on August 2, 1962 and should now be reinstated for purposes of transfer.

That transfer of the authority, as modified in the Order, is compatible with the public interest and should be authorized.

O R D E R

THE COMMISSION ORDERS:

That PUC No. 50 be, and the same is hereby reinstated.

That Thos. J. Fitzgerald, Trustee in Bankruptcy for Suburban Transit Company, Englewood, Colorado, be, and hereby is, authorized to transfer all right, title and interest in and to PUC No. 50 to Ernest M. Herbertson, doing business as "Englewood Ft. Logan Littleton Bus Line," Englewood, Colorado, and that the authority as granted from this day forth, should read:

ENGLEWOOD BUS OPERATION

Transportation of passengers on schedule within the following described area:

Bounded on the north by the City Limits of Denver starting at the intersection of West Hampden Avenue and Sheridan Boulevard; thence northeasterly along the City Limits of Denver to the intersection of West Yale Avenue and South Federal Boulevard; thence easterly along West Yale to a junction with the Denver City Limits at South Pecos Street; thence easterly along said Yale Avenue and following the City Limit Line to South Downing Street; thence southeasterly along the Denver City Limits Line to South Colorado Boulevard; thence south along South Colorado Boulevard as extended to Belleview Road; thence west along Belleview Road to the Arapahoe County Line, being South Sheridan Boulevard; thence north along South Sheridan Boulevard to West Hampden Avenue, the point of beginning, including that portion of a route extending within the Denver City Limits from South Downing Street east on Yale Avenue to Franklin Street; thence south on Franklin Street to East Amherst Avenue.

ARAPAHOE COUNTY FAIRGROUNDS

Transportation by bus between Englewood, Colorado, and the property of the Arapahoe County Fair Association located at the intersection of North Windemere Avenue and West Belleview Avenue, in the County of Arapahoe, State of Colorado, provided applicant will not pick up any passengers from Englewood for discharge at any other point than the Fairgrounds; neither shall applicant on his return trip pick up any passengers between the Fairgrounds and any other point between there and Englewood; however, applicant shall have the right to discharge passengers picked up at the Fairgrounds at all points between the Fairgrounds and Englewood.

CHARTER BUS OPERATION

Transportation of school and church groups by motor vehicle on call and demand in chartered coaches, between Englewood, Colorado, and Littleton, Colorado, and between either of said points, on the one hand, and all other points in Colorado, on the other hand, without the usual restriction as to the origin of the chartered service when the same originates in either Englewood or Littleton.

CENTENNIAL TURF CLUB OPERATION

Transportation of passengers to the Centennial Turf Club, or are destined to Littleton, Colorado, or Englewood, Colorado, from the Centennial Turf Club.

ENGLEWOOD FRANCHISE

Authority to exercise the franchise right granted to applicant by the City Council of the City of Englewood in Ordinance No. 12 Series of 1952.

LITTLETON OPERATION

Transportation of passengers and their hand baggage, on schedule, as required by the public convenience, between points in the following described area, embraced within the following boundaries, to-wit: Beginning at Girard Street and Broadway in Englewood; thence south along South Broadway to Littleton Boulevard; thence west along Littleton Boulevard and Main Street to Littleton, Colorado, and return by the same route, including also service in the following described area: bounded on the south and west by the Arapahoe County Line; on the north by Bellevue Road; on the east by Colorado Boulevard, as extended.

That any rights, or authority, under Certificate PUC No. 50 not hereinabove specifically defined shall stand revoked upon transfer becoming effective.

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 the 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. Negro
Frederic C. Hobson
Henry C. Zuleygo
Commissioners.

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

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
COLORADO MOTORWAY, INC., 1805 BROAD-)
WAY, DENVER, COLORADO, FOR A CERTIFI-)
CATE OF PUBLIC CONVENIENCE AND NECES-) APPLICATION NO. 19497-Extension
SITY, AUTHORIZING EXTENSION OF OPERA-)
TIONS UNDER PUC NO. 5 AND PUC NO. 5-I.)
-----)

December 4, 1962

Appearances: Holland & Hart, Esqs.,
Denver, Colorado, for
Applicant.

S T A T E M E N T

By the Commission:

On September 5, 1962, the above-styled application was filed with the Commission, seeking a certificate of public convenience and necessity, authorizing extension of operations under PUC No. 5 and PUC No. 5-I, to include the right to pick up and deliver express transported to and from Denver on the one hand, and other points presently served under PUC No. 5 on the other hand, to be restricted to pick-up and delivery to and from banks, of papers, cards, documents and microfilm used in the banking business, except currency and negotiable securities, and except unused paper and supplies.

The Commission has now been informed by Attornsy for Applicant herein that said Applicant no longer desires to prosecute said application, and request for dismissal thereof has been made.

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. 19497-Extension be, and the same hereby is, dismissed, upon request of Attorneys for Applicant herein.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Kiger
Robert C. Nolan
Henry E. Paulsen
Commissioners.

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

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

DENVER-LARAMIE-WALDEN TRUCK LINE, INC.,)
1655 Decatur Street,)
Denver, Colorado, and)
FLOYD A. HENRIKSON, DOING BUSINESS AS)
"DENVER-LOVELAND TRANSPORTATION,")
255 South Cleveland,)
Loveland, Colorado,)

Complainants,)

vs.)

COLORADO CARTAGE COMPANY, INC.,)
8103 East 39th Avenue,)
Denver, Colorado,)

Defendant.)
-----)

CASE NO. 5207

December 4, 1962

Appearances: John P. Thompson, Esq.,
Denver, Colorado, for
Complainants;
John H. Lewis, Esq.,
Denver, Colorado, for
Defendant.

S T A T E M E N T

By the Commission:

On June 23, 1961, Complaint was filed with the Commission
in the above-styled matter.

On June 27, 1961, Order to Satisfy or Answer was directed
to Defendant herein, and on July 12, 1961, "Answer of Colorado Cartage
Company, Inc., Defendant," was filed with the Commission.

Since that time, said matter has been held in abeyance by
the Commission, and no request has been received from Complainants
herein for hearing on said matter.

Inasmuch as the Commission is now desirous of closing its
docket on long-pending matters,

F I N D I N G S

THE COMMISSION FINDS:

That unless request for hearing of the above-styled application shall be received by the Commission from Complainants herein before the effective date of this Order, said matter should be dismissed, and the case closed upon the docket of this Commission.

O R D E R

THE COMMISSION ORDERS:

That unless request for hearing of the above-styled case shall be received by this Commission from Complainants herein before the effective date of this Order, said case shall be dismissed, without further notice, and said matter closed upon the docket of this Commission.

This Order shall become effective thirty (30) days from the date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Reephy C. Horton
Stanley E. Paulings
Commissioners.

DATED at Denver, Colorado,
this 4th day of December, 1962.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
EDWARD B. ALMON, DOING BUSINESS AS)
"MAC GREGOR TRANSFER & STORAGE)
COMPANY," 1237 WAZEE STREET, DEN-)
VER, COLORADO, FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECES-)
SITY TO OPERATE AS A COMMON CAR-)
RIER BY MOTOR VEHICLE FOR HIRE,)
UNDER "GRANDFATHER RIGHTS.")
-----)

APPLICATION NO. 16007

December 4, 1962

Appearances: Edward B. Almon, Esq.,
Denver, Colorado, for
Applicant;
Raymond B. Danks, Esq.,
Denver, Colorado, for
Colorado Transfer &
Warehousemen's Association.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the instant application, the applicant seeks a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire, under "Grandfather Rights."

The application was set for hearing on January 21, 1958, at the Hearing Room of the Commission, 330 State Office 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 this matter having been heretofore heard and additional time having been given to applicant to present evidence of transportation in the City and County of Denver upon which a "Grandfather

Rights" could be based, that said applicant failed to produce such evidence, and said application should be dismissed.


O R D E R

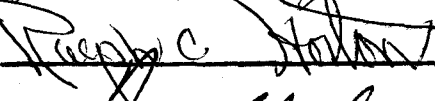
THE COMMISSION ORDERS:


That Application No. 16007 be, and the same hereby is, dismissed.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners.

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

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
BOB L. HUNT, 2625 WEST CORNELL)	
AVENUE, DENVER, COLORADO, FOR A)	
CERTIFICATE OF PUBLIC CONVENIENCE)	<u>APPLICATION NO. 19370</u>
AND NECESSITY TO OPERATE AS A COM-)	
MON CARRIER BY MOTOR VEHICLE FOR)	
HIRE.)	
-----)	

December 4, 1962

Appearances: Charles E. Bennett, Esq.,
Denver, Colorado,
for Applicant;
Robert L. McDougal, Esq.,
Denver, Colorado, for
Rehfeld House Movers,
Doyle's House Moving,
and W. A. Hutchens, Inc.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the instant application, the applicant seeks a certificate of public convenience and necessity to operate as a common carrier by motor vehicle in the transportation of buildings in the City and County of Denver, and within a 35-mile radius of said City and County of Denver.

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

Applicant testified in substance as follows, to-wit:
that he was prompted to file this application because he had had many requests for services to be rendered in the moving of buildings; that these requests came to him as he has been working for some three years with A-One House Movers, and for some eight months with Ryberg

Construction Co.; that he has worked for these movers in the capacity of a supervisor, or a foreman on the job, and in the actual work connected with the lifting and preparation of buildings for movement; that in such capacity he has worked on a number of moves, including a stucco, floorless building belonging to Harold Ludwig, said structure being 25 feet by 57 feet, which building was very heavy and, having no floors, required special timber supports, in which instance he used steel supports; that he moved a building for a turkey farmer, who informed him that he could not otherwise obtain service, to Castle Rock, while as foreman for A-One House Movers; that he moved several buildings for a certain Ray Wells; that there is a great need for an additional carrier to provide such services, and he is of the opinion he can operate successfully and render satisfactory service; that the work is skilled in its nature and errors could be very costly to the public; that he has "seen other movers covered with work" which could not be gotten to but who had bid on the jobs; that presently there are about five movers so engaged, three of whom engage in brick building movements; that the State Highway recently had to tear down a building because it could find no one to move the same; that the West 48th Freeway Project will create an additional demand for removal of houses from the right-of-way and it is his opinion that the present supply of services will be inadequate to meet the demand; that he has on numerous occasions contracted for the lifting and preparation of buildings for movement, but that Ryberg, for whom he has worked, actually moved the same over the road; that on his own, he has moved some buildings but it was only on private property.

Witness Ryberg testified in support of the application. This witness holds a certificate but is concentrating on the moving of masonry buildings and would like to specialize in such movement as it is highly skilled work and requires special equipment, it being his intention to gradually move out of the non-masonry building

movements as he can. This witness testified that the applicant has worked for him and that he is personally familiar with his ability, character, and diligence in the performance of his work and will make a good mover. He also stated that the work is specialized. This witness testified that last winter, spring and summer he was "crying" for other house movers to help him with moves he was unable to make because of the press of other work, but could not obtain any satisfaction and, on many occasions, had to turn requests away. He stated that the Freeway should create many emergency demands and that the public will suffer if movers are not reasonably readily available. He stated that he has an arrangement with the applicant to work with him and is confident that the applicant will satisfactorily meet his obligations under the authority if the same is granted, in which event he can devote more time, which is needed, to meet the demands of moving masonry buildings. He feels that the applicant will have the experience and will be on the job most of the time when moves are in progress, which is an essential requisite, especially in the house moving business. This witness stated that over many long periods in the past he has had to turn down from one to two moves per week for want of time.

One witness named Kimball stated that he had five houses to move and contacted approximately a half dozen movers who would give him no satisfaction as to his inquiries concerning the services to be performed, or the charges to be made; however, that the applicant did, was used on three occasions, and proved to be very satisfactory. He further stated that the applicant's charges were not the lowest or the highest, but were "in the middle."

Witness Wells is engaged in the occupation of purchasing houses from the State Highway Department, has used Ryberg, where he met Hunt, who was on the job every day during the moves; that Hunt did a "wonderful job;" that he had seven houses moved last year and has called on others who did not even show up.

Witnesses Chase, Turner and Ludwig testified in similar vein.

The protestants testified as to their authorities and to the effect that there is no need for competition and have suffered bad times in their business which would be augmented if the certificate were granted.

Applicant tendered in evidence Exhibit 1, being his equipment list and Exhibit 2, a Financial Statement, both of which exhibits the Commission has carefully considered.

The Commission finds that the applicant will have sufficient equipment and experience to properly carry on the proposed transportation services, and the applicant's financial standing is established to the satisfaction of the Commission.

That the present and future public convenience and necessity require the transportation services for which the applicant seeks authority, and that the authority should be granted as is hereinafter set out in the Order.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the proposed common carrier motor vehicle call and demand service of Bob L. Hunt, Denver, Colorado, for the transportation of buildings in the City and County of Denver, and within a 35-mile radius of said City and County of Denver, Colorado, and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

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

That applicant shall operate 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
Robert C. Holton
Clayton Phillips
Commissioners.

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

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE INCREASED AND REDUCED RATES)) <u>INVESTIGATION AND SUSPENSION</u>	
AND CHARGES APPLYING ON SHIP-) <u>DOCKET NO. 501</u>
MENTS HELD IN STORAGE ON		
CARRIERS PREMISES.		
-----)		

December 4, 1962

Appearances: James R. Anderson, Denver-
Limon-Burlington Transfer
Co., 1410 Osage St., Denver,
Colorado, for Respondent;
A. J. Tait, Denver, Colorado,
and
Sanuel J. Philippone, Denver,
Colorado, for the Commission.

STATEMENT AND FINDINGS OF FACT

By the Commission:

On September 28, 1962, The Colorado Motor Carriers' Association, Agent, by J. R. Smith, Chief of Tariff Bureau, 4060 Elati Street, Denver 16, Colorado, filed 1st Revised Page No. 100, to Tariff No. 12-A, Colo. P.U.C. No. 11, proposing to amend paragraph (c), Item No. 1100, to become effective November 3, 1962.

By Decision No. 59531, dated October 30, 1962, the operation of said schedule was suspended, and the use thereof deferred to and including March 3, 1963, and said matter was set for hearing at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, at ten o'clock A. M., November 23, 1962.

James R. Anderson, Traffic Manager, Denver-Limon-Burlington Transfer Co., appeared and testified in support of the proposed Tariff.

The testimony and the evidence submitted by the witness was general in scope and vague in substance. At the conclusion of his testimony, Mr. Tait, of the staff of the Commission, moved that the Tariff be vacated.

The Hearing Commissioner, considering the circumstances, continued the matter for further hearing at a time and date to be set by the Commission and notice to be given as required.

This action was taken in order to allow the proponents to present additional evidence at the time of such hearing, if they so desire.

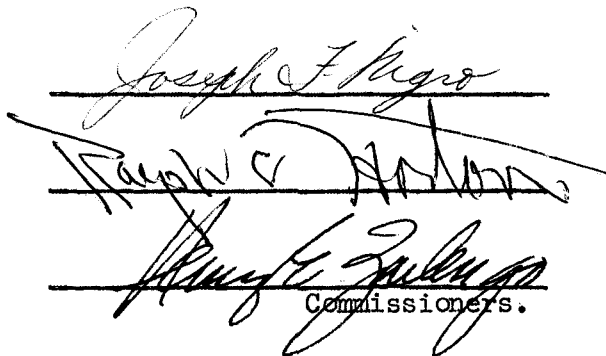
O R D E R

THE COMMISSION ORDERS:

That the instant matter should be re-set for hearing at some future date convenient to the Commission, with notice to all interested parties.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

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

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MISSOURI PACIFIC RAILROAD COMPANY)
TO DISCONTINUE AND REMOVE THE)
STATION BUILDING AT ARLINGTON,) APPLICATION NO. 19430
COLORADO.)
-----)

December 4, 1962

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, Missouri Pacific Railroad Company, by its
Attorney, did on August 26, 1962, file its Petition requesting
authority to discontinue and remove the station building at
Arlington, Kiowa County, Colorado.

Arlington is a small station on Applicant's main line
extending eastward from Pueblo through Ordway and Eads, Colorado,
to Kansas City, Missouri. Sugar City is located some twenty miles
to the west and the Agency station of Haswell is 13.7 miles to the
east. Public notice of the station building removal was posted on
the Bulletin Board at the Haswell station, where local patrons are
served. Rail service is provided to a grain elevator and stockyards.
The population of the Arlington community is approximately 50 persons.

According to the instant application, the Arlington station
has been closed since July 31, 1932 (I & S Docket No. 187, Decision
No. 4450). Thereafter, caretaker service for handling of L.C.L.
shipments was provided until 1954, when the employee retired. On
the minimum salary basis in effect, Applicant has been unable to
secure a replacement and no caretaker service has existed at Arlington
since 1954. Meanwhile, a vacant tool-house was substituted for

storage service and approval of complete building removals is now requested since facilities of the Agency Station at Haswell are being utilized.

Upon Commission investigation, it was determined that L.C.L. freight service through the Haswell station is provided by a "Local Freight" moving east and west on alternate week days. However, local needs have been met by truck service and absence of complaints since 1954 indicates the minor need and public interest in a station building.

Since no protests have been received in this matter, and no change is proposed in the handling of carload shipments, it appears public needs of the region are being met, and removal of the station building will not be a decrease in public service. Wherefore, 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 Arlington area can and is being adequately served by other existing stations and local track facilities.

That insufficient public demand or usage now exists to properly justify continued maintenance of a station building at Arlington, Kiowa County, Colorado.

That 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 approval is hereby granted to Missouri Pacific Railroad Company, Osawatomie, Kansas, for discontinuance and station building removal at Arlington, Kiowa 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

Joseph F. Nigro
George C. Hahn
Henry E. Zullig
Commissioners.

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

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
ABLE MOVERS, INC., 4450 YORK STREET,)	
DENVER, COLORADO, FOR A CERTIFICATE)	
OF PUBLIC CONVENIENCE AND NECESSITY)	<u>APPLICATION NO. 18793-Extension</u>
AUTHORIZING EXTENSION OF OPERATIONS)	
UNDER PUC NO. 3371.)	
-----)	

December 4, 1962

Appearances: Barry and Boyle, Esqs.,
Denver, Colorado, for
Applicant.

S T A T E M E N T

By the Commission:

On October 16, 1961, the above-styled application was filed with the Commission, seeking a certificate of public convenience and necessity, authorizing extension of operations under PUC No. 3371, to include transportation of general commodities, excepting commodities which, because of size or weight, require special equipment, and excepting package delivery service, as such, from point to point within the Counties of Arapahoe, Jefferson, and Adams, Colorado.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, November 10, 1961, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest. Subsequently, said setting was vacated, upon request of Attorney for Applicant herein.

Since that time, said matter has been held in abeyance by the Commission, and no request has been received from Applicant herein for hearing on said application.

Inasmuch as the Commission is now desirous of closing its docket on long-pending applications,

F I N D I N G S

THE COMMISSION FINDS:

That unless request for hearing of the above-styled application shall be received by the Commission from Applicant herein before the effective date of this Order, said application should be dismissed, and the matter closed upon the docket of this Commission.

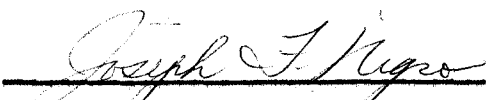
O R D E R


THE COMMISSION ORDERS:


That unless request for hearing of the above-styled application shall be received by the Commission from Applicant herein before the effective date of this Order, said application, without further notice, shall be dismissed, and said matter closed upon the docket of this Commission.

This Order shall become effective thirty (30) days from the date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners.

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

ea

original

(Decision No. 59776)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
WEICKER TRANSFER & STORAGE COMPANY,)	
1700 FIFTEENTH STREET, DENVER, COLO-)	
RADO, FOR A CERTIFICATE OF PUBLIC)	APPLICATION NO.18781-Extension
CONVENIENCE AND NECESSITY, AUTHORIZ-)	
ING EXTENSION OF OPERATIONS UNDER)	
PUC NO. 341.)	
-----)	

December 4, 1962

S T A T E M E N T

By the Commission:

The above-styled application was filed with the Commission on April 7, 1961, seeking a certificate of public convenience and necessity, authorizing extension of operations under PUC No. 341, to include the right to maintain offices and employ agents within the Denver Metropolitan Area, viz., within a ten-mile radius of the City Limits of 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 5, 1961, commencing at ten o'clock A. M., due notice thereof being forwarded to all parties in interest. Thereafter, said hearing was vacated, upon request of Applicant herein.

Since that time, said matter has been held in abeyance by the Commission, and no request has been received from Applicant herein for hearing on said application.

Inasmuch as the Commission is now desirous of closing its docket on long-pending applications,

F I N D I N G S

THE COMMISSION FINDS:

That unless request for hearing of the above-styled application shall be received by the Commission from Applicant herein before the effective date of this Order, said application should be dismissed, and the matter closed upon the docket of this Commission.


O R D E R

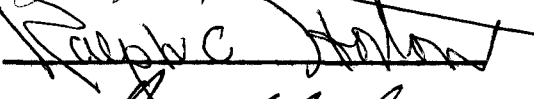
THE COMMISSION ORDERS:


That unless request for hearing of the above-styled application shall be received by the Commission from Applicant herein before the effective date of this Order, said application, without further notice, shall be dismissed, and said matter closed upon the docket of this Commission.

This Order shall become effective thirty (30) days from the date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners.

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

ea

original

(Decision No. 59777)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
BUEHLER TRANSFER COMPANY, 3899)	
JACKSON STREET, DENVER, COLORADO,)	
FOR A CERTIFICATE OF PUBLIC CONVEN-)	<u>APPLICATION NO. 18780-Extension</u>
IENCE AND NECESSITY, AUTHORIZING)	
EXTENSION OF OPERATIONS UNDER PUC)	
NO. 340.)	
-----)	

December 4, 1962

S T A T E M E N T

By the Commission:

On April 5, 1961, the above-styled application was filed with the Commission, seeking a certificate of public convenience and necessity, authorizing extension of operations under PUC 340, to include the right to maintain offices and employ agents within the Denver Metropolitan Area, viz., within a ten-mile radius of the City Limits of Denver.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, December 5, 1961, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest. Subsequently, upon request of Applicant, said setting was vacated.

Since that time, said matter has been held in abeyance by the Commission, and no request has been received from Applicant herein for hearing on said application.

The Commission is now desirous of closing its docket on long-pending applications. Therefore,

F I N D I N G S

THE COMMISSION FINDS:

That unless request for hearing of the above-styled application shall be received by the Commission from Applicant herein before the effective date of this Order, said application should be dismissed,

and the matter closed upon the docket of this Commission.

O R D E R

THE COMMISSION ORDERS:

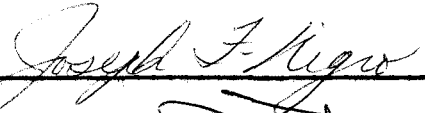
That unless request for hearing of the above-styled application shall be received by the Commission from Applicant herein before the effective date of this Order, said application, without further notice, shall be dismissed, and said matter closed upon the docket of this Commission.

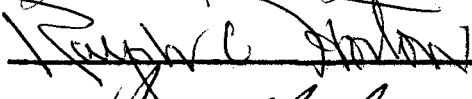
This Order shall become effective thirty (30) days from the date hereof.


THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

ea







Commissioners.

original

(Decision No. 59778)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
SOUTH SIDE MOVING & STORAGE, INC.,)	
341 SOUTH LINCOLN STREET, DENVER,)	
COLORADO, FOR A CERTIFICATE OF PUB-)	APPLICATION NO. 19496
LIC CONVENIENCE AND NECESSITY, AU-)	
THORIZING EXTENSION OF OPERATIONS)	
UNDER PUC NO. 507.)	
-----)	

December 4, 1962

Appearances: Darwin D. Coit, Esq.,
Denver, Colorado,
for applicant.

S T A T E M E N T

By the Commission:

On December 15, 1961, the above-styled application was filed with the Commission, seeking a certificate of public convenience and necessity, authorizing extension of operations under PUC No. 507, to include the right to maintain offices and employ agents within the Denver Metropolitan Area, viz., within a ten-mile radius of the City Limits of Denver.

Since that time, said matter has been held in abeyance by the Commission, and no request has been received from Applicant herein for hearing on said application.

The Commission is now desirous of closing its docket on long-pending applications. Therefore,

F I N D I N G S

THE COMMISSION FINDS:

That unless request for hearing of the above-styled application shall be received by the Commission from Applicant herein before the effective date of this Order, said application should be dismissed, and the matter closed upon the docket of this Commission.


O R D E R


THE COMMISSION ORDERS:


That unless request for hearing of the above-styled application shall be received by the Commission from Applicant herein before the effective date of this Order, said application, without further notice, shall be dismissed, and said matter closed upon the docket of this Commission.

This Order shall become effective thirty (30) days from the date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners.

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

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
WILLIAM R. NEIDERHISER, 6851)
MAGOLIA, DERBY, COLORADO.)
-----)

PERMIT NO. B-5442

December 13, 1962

S T A T E M E N T

By the Commission:

On March 29, 1962, the Commission authorized William R. Neiderhiser to suspend operations under his Permit No. B-5442, until March 29, 1963.

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

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-5442, should be, and the same hereby is, reinstated as of November 14, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,
this 13th day of December, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
KEITH MERRITT, DOING BUSINESS AS
"MERRITT PACKING & CRATING SERVICE,"
4200 MONROE STREET, DENVER, COLO-
RADO, FOR A CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY, AUTHOR-
IZING EXTENSION OF OPERATIONS UNDER
PUC NO. 440.

APPLICATION NO. 18802-Extension

December 4, 1962

Appearances: Stockton, Linville, Lewis
and Mitchell, Esqs., Denver,
Colorado, for Applicant.

S T A T E M E N T

By the Commission:

On October 31, 1961, the above-styled application was filed with the Commission, seeking a certificate of public convenience and necessity, authorizing extension of operations under PUC No. 440, to include the right to maintain offices and employ agents within the Denver Metropolitan Area, viz., within a ten-mile radius of the City Limits of 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 5, 1961, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

Thereafter, upon request of Attorneys for Applicants, said hearing was vacated.

Since that time, said matter has been held in abeyance by the Commission, and no request has been received from Applicant herein for hearing on said application.

Inasmuch as the Commission is now desirous of closing its docket on long-pending applications,

F I N D I N G S

THE COMMISSION FINDS:

That unless request for hearing of the above-styled application shall be received by the Commission from Applicant herein before the effective date of this Order, said application should be dismissed, and the matter closed upon the docket of this Commission.

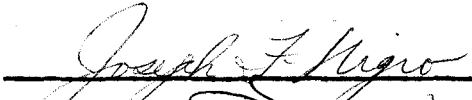
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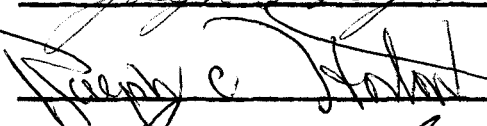
THE COMMISSION ORDERS:

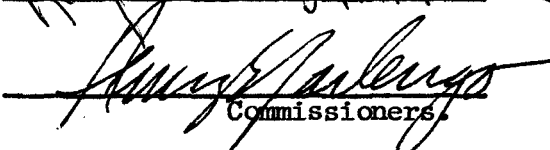
That unless request for hearing of the above-styled application shall be received by the Commission from Applicant herein before the effective date of this Order, said application shall be dismissed, without further notice, and said matter closed upon the docket of this Commission.

This Order shall become effective thirty (30) days from the date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners.

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

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
TEPCO, INC., A COLORADO CORPORATION,)
7255 NORTH SHERIDAN BOULEVARD,)
ARVADA, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)
-----)

APPLICATION NO. 19002-PP

December 4, 1962

Appearances: Henry S. Sherman, Esq.,
Denver, Colorado, for
Applicant.

S T A T E M E N T

By the Commission:

On January 17, 1962, the above-styled application was filed with the Commission, seeking a Class "B" permit to operate as a private carrier by motor vehicle for hire, for the transportation of raw milk, in bulk tank trucks, for Denver Milk Producers, Inc., a Colorado corporation, from farms in Weld and Larimer Counties, Colorado, to points in Larimer and Weld Counties, and from said counties to points in the Counties of Denver, Adams, Arapahoe, and Jefferson, Colorado; raw milk to Shoenberg Farms, Inc., Rocky Mountain Dairy Products, Inc., and to other points designated from time to time by Denver Milk Producers, Inc., in the Counties of Denver, Adams, Arapahoe, and Jefferson, State of Colorado.

Said matter was regularly set for hearing before the Commission on April 18, 1962, due notice thereof being forwarded to all parties in interest, said setting being subsequently vacated, upon request of Attorney for Protestant.

Said matter was again set for hearing before the Commission on June 13, 1962, due notice thereof being forwarded to all parties in

interest, and said setting being subseuqnetly vacated, upon request of Attorney for Applicant herein.

Since that time, said matter has been held in abeyance by the Commission, and no request has been received from Applicant herein for hearing on said application.

The Commission is now desirous of closing its docket on long-pending applications. Therefore,

F I N D I N G S

THE COMMISSION FINDS:

That unless request for hearing of the above-styled application shall be received by the Commission from Applicant herein before the effective date of this Order, said application should be dismissed, and the matter closed upon the docket of this Commission.

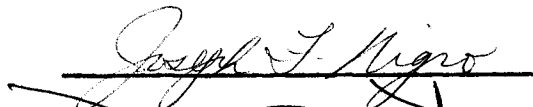
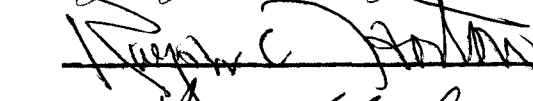

O R D E R

THE COMMISSION ORDERS:

That unless request for hearing of the above-styled application shall be received by the Commission from Applicant herein before the effective date of this Order, said application shall be dismissed, without further notice, and said matter closed upon the docket of this Commission.

This Order shall become effective thirty (30) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

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

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF) HARRY BERMAN AND HAROLD WRITER, CO-) PARTNERS, DOING BUSINESS AS "AMICK) TRANSFER & STORAGE COMPANY," 1029) SANTA FE DRIVE, DENVER, COLORADO,) FOR A CERTIFICATE OF PUBLIC CONVEN-) IENCE AND NECESSITY, AUTHORIZING) EXTENSION OF OPERATIONS UNDER PUC) NO. 332.) -----)	<u>APPLICATION NO. 18778-Extension</u>
---	--

December 4, 1962

S T A T E M E N T

By the Commission:

On April 6, 1961, the above-styled application was filed with the Commission, seeking a certificate of public convenience and necessity, authorizing extension of operations under PUC No. 332, to include the right to maintain offices and employ agents within the Denver Metropolitan Area, viz., within a ten-mile radius of the City Limits of 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 5, 1961, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest. Subsequently, said hearing was vacated, upon request of Applicants herein.

Since that time, said matter has been held in abeyance by the Commission, and no request has been received from Applicant herein for hearing on said application.

The Commission is now desirous of closing its docket on long-pending applications. Therefore,

F I N D I N G S

THE COMMISSION FINDS:

That unless request for hearing of the above-styled application shall be received by the Commission from Applicant herein before

the effective date of this Order, said application should be dismissed, and the matter closed upon the docket of this Commission.

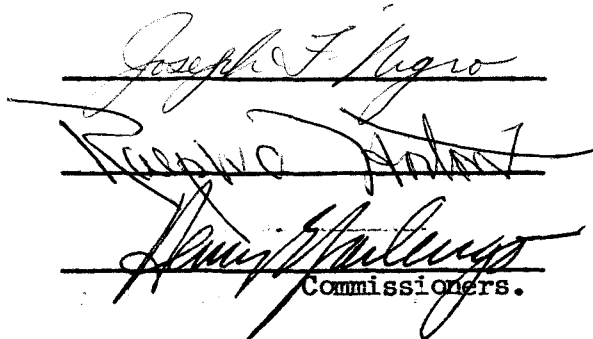
O R D E R

THE COMMISSION ORDERS:

That unless request for hearing of the above-styled application shall be received by the Commission from Applicants herein before the effective date of this Order, said application shall be dismissed, without further notice, and said matter closed upon the docket of this Commission.

This Order shall become effective thirty (30) days from the date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

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

ea

(Decision No. 59783)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE INCREASED RATES AND CHARGES	}	INVESTIGATION AND SUSPENSION DOCKET NO. 502
FOR THE ACCOUNT OF PACKAGE DELIVERY		
<u>SERVICE COMPANY</u> -----		

December 5, 1962

STATEMENT AND FINDINGS

BY THE COMMISSION:

By decision No. 59552, dated October 31, 1962, we suspended The Package Delivery Service Company, hereinafter sometimes called respondent, Denver, Colorado, tariff No. 43, Colorado P.U.C. No. 43 scheduled to become effective November 1, 1962, to and including February 28, 1963.

We are now in receipt of a proposal by respondent to increase its rates and charges by an estimated 3.8 per cent as compared to an estimated increase of 4.8 per cent in the tariff under suspension.

Respondent has signed a new labor contract with Teamsters Local No. 435 effective retroactively to September 15, 1962. Drivers wages are increased 4.68%, Helpers 4.95%, Sorters 7.89%, Greasers and Washers 5%, Maintenance Men 4.56% and Mechanics 4.21%. The estimated annual wage increase is approximately \$44,000. The estimated annual revenue increase under the proposal of respondent is approximately \$21,700.00.


We find on the representations made by respondent and the review of the annual report by our transportation cost analyst that our order instituting the investigation into the lawfulness of tariff No. 43, Colo. P.U.C. 43, should be vacated and the proceeding discontinued, said tariff should be cancelled and that the proposed tariff should be permitted to become effective upon a common date, in all instances, upon notice to the Commission and the general public by not less than one day's notice, filing and posting in the manner prescribed by law and the rules and regulations of the Commission.

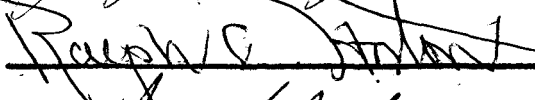
O R D E R


THE COMMISSION ORDERS, That:

1. The Statement and Findings herein be, and they are hereby made a part hereof.
2. A supplement be issued cancelling The Package Delivery Service Company tariff No. 43, Colo. P.U.C. No. 43, effective not later than December 12, 1962, upon one day's notice to the Commission and the general public, filing and posting said supplement in the manner prescribed by law and the regulations of the Commission.
3. Respondent's proposed new tariff No. 44, Colo. P.U.C. No. 44, cancelling its tariff No. 42, Colo. P.U.C. 42, to become effective not later than December 12, 1962, upon one day's notice to the Commission and the general public, filing and posting said tariff in the manner prescribed by law and the regulations of the Commission.
4. This order heretofore entered in this proceeding (Decision No. 59552, dated October 31, 1962) suspending the operation of the schedules referred to in the statement herein and ordering an investigation as to the lawfulness thereof, be and is hereby vacated and set aside as of December 12, 1962 and that this proceeding be discontinued.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners

Dated at Denver, Colorado this
5th day of December, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE VARIOUS PROCEEDINGS INVOLVING)
THE MINIMUM CHARGE FOR A SINGLE)
SHIPMENT FROM ONE CONSIGNOR TO)
ONE CONSIGNEE ON ONE BILL OF LADING)
IN ONE DAY; ALSO A SURCHARGE OF)
FIFTY (50¢) CENTS ON EACH BILL OF)
LADING COVERING SHIPMENTS WEIGHING)
2,000 POUNDS OR LESS; ALSO OTHER)
MATTERS MORE SPECIFICALLY SET)
FORTH IN THE STATEMENT. -----)

CASE NO. 1585
INVESTIGATION & SUSPENSION
DOCKET NOS. 427 & 439

December 5, 1962

S T A T E M E N T

BY THE COMMISSION:

On September 14, 1962, Decision 59282, in the above designated proceedings, the Commission, among other things, prescribed the following, viz:

APPENDIX "C"

APPLICATION OF RATES AND CHARGES

- IV - A. Shipment of less than 1,000 lbs. subject to rates 10 cents per cwt. higher than base rates.
- B. Shipments of 1,000 lbs. and not over 2,000 lbs. subject to rates 5 cents per cwt. higher than base rates.
- C. Shipments of over 2,000 lbs. subject to base rates provided however, the charges on shipments over 2,000 lbs. and less than 5,000 lbs. shall not exceed the charges based on 5,000 lbs. at the 5,000 lb. rates.
- V - Alternative applications of rates on shipments weighing 2,000 lbs. or less:
- A. Where the total charges on a shipment of less than 1,000 lbs. would be lower if charges were based upon a weight of 1,000 lbs. with the deficit in weight charged at the same rate as the lowest rated article in the shipment, such lower charge shall apply.

B. Where the total charges on a shipment of 2,000 lbs. or less but 1,000 lbs. or over would be lower if the charges were based upon a weight of 2,000 lbs. with the deficit in weight charged at the same rate as the lowest rated article in the shipment, such lower charges shall apply.

Under paragraph IV, the class rates in cents per 100 lbs. between Denver and Boulder, on columns 100, 85, 70 and 55 would be as follows:

Base - 128, 109, 90 and 70

Less Than:

1,000 lbs. - 138, 119, 100 and 80 (Paragraph IV-A).

1,000 lbs. and not over 2,000 lbs.: - 133, 114, 95 and 75
(Paragraph IV-B).

It will be noted that the rates on 1,000 lbs. and not over 2,000 lbs. are the same, viz: 133, 114, 95 and 75 (which are 5 cents higher than the base rates). Therefore the rates on 2,000 lbs. or less, but 1,000 lbs. or over, under paragraph V, either A or B will be the same, as shown above.

There is also another matter in need of correction. In Paragraph VIII of Appendix "C" provision was made for the publication of a column 25 class rates. Inasmuch as there is no column 25 rating in the governing classification, such a rating is unnecessary. Therefore the said column 25 rating and rates should be cancelled.

F I N D I N G S

THE COMMISSION FINDS, That:-

1. Paragraphs IV and V, Appendix "C", Decision 59282, dated September 14, 1962, should be cancelled, and in lieu thereof the following should apply, viz:

- IV - A. Shipments of less than 1,000 lbs. subject to rates 10 cents per cwt. higher than base rates.
- B. Shipments of 1,000 lbs. and not over 1,999 lbs. subject to rates 5 cents per cwt. higher than base rates.
- C. Shipments of over 1,999 lbs. subject to base rates, provided however, the charges on shipments over 1,999 lbs. and less than 5,000 lbs. should not exceed the charges based on 5,000 lbs. at the 5,000 lb. rates.

V - Alternate applications of rates on shipments weighing 1,999 lbs. or less.

A. Where the total charges on a shipment of less than 1,000 lbs. (10 cents higher than base rates), would be lower if charges were based upon a weight of 1,000 lbs. (5 cents higher than base rates), with the deficit in weight charged at the same rate as the lowest rated article in the shipment, such lower charges shall apply.

B. Where the total charges on a shipment of 1,999 lbs. or less, but 1,000 lbs. or over (5 cents higher than base rates), would be lower if the charges were based upon a weight of 2,000 lbs. at the base rates; with the deficit in weight charged at the same rate as the lowest rated article in the shipment, such lower charges shall apply.

2. Column 25 class rating and rates prescribed in Paragraph VIII, Appendix "C", Decision 59282, dated September 14, 1962, should be cancelled.

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. Paragraphs IV and V, Appendix "C", Decision No. 59282, dated September 14, 1962, be and they are hereby cancelled, and in lieu thereof the provisions set forth in paragraph 1, sub-paragraphs IV and V of our findings shall be the prescribed basis of rates and charges.

4. Column 25 class rating and rates prescribed in Paragraph VIII, Appendix "C", Decision No. 59282, dated September 14, 1962, be and the same is hereby cancelled.

5. The changes herein prescribed, shall become effective on January 1, 1963, on five (5) days' notice to the Commission and the general public.

6. 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.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Raymond C. Horton
Dennis E. Zalusky
Commissioners

Dated at Denver, Colorado this
5th day of December, 1962.

jbw

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,)
COLO. P.U.C. NO. 11. -----)

CASE NO. 1585

December 5, 1962

S T A T E M E N T

BY THE COMMISSION:

On November 13, 1962, 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 December 17, 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 letter from carriers involved that:

Items 1440 and 1807 are being amended by additions to the items as indicated in the attached appendix. Mr. Ralph H. Knull, Traffic Manager, Rio Grande Motor Way, Inc. states in support of the changes, that:

"Large quantities of both fruits and vegetables are produced in the Delta-Grand Junction area and a large volume of this merchandise moves to the Denver market for re-sale. At the present time a large percentage of this volume moves via private carriers, by itinerant carriers and by the so-called buy and sell operators. Fresh fruits and vegetables are normally loaded by the shipper at origin and unloaded by the customer at destination. It is felt that the rates in this item would actually be more compensatory on the fresh fruits and vegetables than the commodities which are now covered by these rates as they are normally loaded and unloaded by the carriers.

"The rates in the item have been in effect for several years, having been increased by 3% this spring. As the preponderance of our schedules outbound from Denver return from the Delta-Grand Junction area empty or with very light loads, we feel that these rates would encourage additional traffic on the canned goods eliminating a large portion of the private carriage which was previously handling the canned goods. We have hopes that the addition of fresh fruits and vegetables will have the same effect on this movement. We have also been informed by some shippers that it would be a great advantage to them on some occasions to ship a partial load of canned goods, completing the load with fresh fruit or vegetables."

The pot scourers, NOI, scouring cloths or scouring pads, with or without soap was previously docketed with the association, herein-before mentioned, and by action of the Rate Committee was omitted. Agreement between the shipper and carriers have now been consummated subjecting the commodities indicated to the provisions of Note B.

Melvin A. Chance, Overland Motor Express, Inc. doing business as Boulder-Denver Truck Line, in support of Item 1925 states:

"This entire move both ways involves six hours time and will produce revenue of \$19.66 per hour for a tractor trailer and one man."

F I N D I N G S

THE COMMISSION FINDS:

That the changes set forth in the Appendix "A" attached hereto, 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 December 17, 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 December 17, 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.

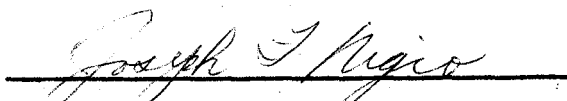

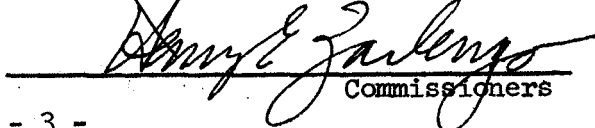
7. On and after December 17, 1962, all private carriers by motor vehicle operating in competition with any motor vehicle common carriers, affected by this order, shall cease and desist from demanding, charging and collecting rates and charges which shall be less than those herein prescribed, provided 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




Commissioners

Dated at Denver, Colorado this
5th day of December, 1962.

Appendix "A"

Changes effective December 17, 1962:

COLORADO MOTOR CARRIERS' ASSOCIATION, AGENT
Local and Joint Freight Tariff No. 12-A
Colorado P.U.C. No. 11

Section No. 2
Commodity Rates

Rates are in cents per 100 pounds

Rates are in cents per 100 pounds						
Item No.	Commodity	From	To	Rate	Route	
	Commodities in the same item may be shipped in straight or mixed truck loads.					
1440	Canned Goods, Viz.: (Not cold-pack or frozen.) Fruit, canned or preserved, in juice or syrup, or in liquid other than brine or alcoholic liquor, crushed fruit, fruit butter, jam, jellies or pulps, packed in accordance with current classification. Honey; / R Fruit or Vegetables, fresh, packed in accordance with current classification. Vegetables, canned or preserved, including canned corn; hominy, mush; oats; pimiento juice; pimientos; pork and beans; rice; scrapple; tomato juice, paste, pulp or puree; tomatoes; sauces; catsup; vegetable juices, NOI, or wheat, but not including dried, evaporated or frozen articles, packed in accordance with current classification. (1) Minimum weight 25,000 pounds. (2) Minimum weight 40,000 pounds. (Subject to Item No. 770.) Canned Goods, Viz: Fruit, fresh, cold-pack ***** This item subject to stop-in-transit charges of \$6.18 per stop, with a maximum of three stops and destination. Such stops will be allowed at final destination points. In the event the shipper does not have a volume of either "not cold-pack or frozen" canned goods or "frozen" canned goods sufficient to make up a minimum weight, the weight of these commodities may be combined in making up the required minimum weight; provided, however, that the weight of frozen canned goods contained in the mixture must be not less than 10,000 pounds. Each of the commodities contained in the mixture will be charged for on the actual weight at its respective truckload rate, subject to the 10,000 pound minimum weight on frozen canned goods.	Delta, Colorado Grand Junction, Colorado Clifton, Colo. Fruitvale, Colo. Palisade, Colo.	Colo. Spgs., Colorado Denver, Colo. Pueblo, Colo.	(1) 45 (2) 41	87	
		Delta, Colorado Grand Junction, Colorado	Durango, Colo.	(1) 52		

Rates are in cents per 100 pounds

Item No.	Commodity	Between	And	Rate	Route
	Commodities in the same item may be shipped in straight or mixed truck loads.				
1807	Foodstuffs and Related Articles, viz.:			(1)(2)	
	Baking Powder		Canon City, Colo.	57 46	87
	Beverage Preparations, NOI, Dry		Colo. Spgs. Colo.	51 42	47
	Bluing, Laundry		Durango, Colo.	107 88	87
	Cereal Food Preparations:	Denver,	Ft. Carson, Colo.	52 43	47
	Cooked:	Colorado	Grand Junction Colo.	98 82	87
	Bran (Note A)		Greeley, Colo.	46 38	7
	Confection Coated (Note A)		Pueblo, Colo.	66 54	47
	Flaked or Shredded (Note A)		Trinidad, Colo.	82 67	47
	Puffed, NOI (Note A)				
	Rice, Rolled (Note A)				
	Cooked:				
	Granulated				
	Chocolate Candy		Macaroni and Cheese		
	Chocolate, Not confectionery		Milk Food, other than liquid		
	Cocoa		Milk, powdered		
	Cocoa Compounds		Pectin		
	Cocoanut, prepared		/ (R) Pot Scourers, NOI, Scouring Cloths or Scouring Pads, with or without soap (Note B)		
	Coffee Extract (instant)		Potatoes, cooked		
	Coffee, Roasted		Rice		
	Coffee Substitutes		Rice, combined with vegetables and seasoning		
	Confectionery, NOI		Salad Dressing Preparations, dry		
	Dessert Preparations		Soups		
	Feed, animal, carnivorous (canned)		Spaghetti Sauce Mix, Dry		
	Feed, animal, prepared		Starch, liquid		
	Feed, animal (dog biscuits)		Sauces, table, NOI		
	Flour, edible		Syrup, not medicated, NOI		
	Flour, grain		Tapioca		
	Gelatin, NOI		Tea		
	(1) Minimum weight 20,000 Pounds.		Wax, Laundry compound		
	(2) Minimum weight 35,000 Pounds.				
	(Subject to Item No. 770.)				
NOTE A: Rates apply on articles referring to this note only when such articles are in mixed shipments with other articles named in this item not referring hereto. Total weight of the articles referring to this note shall not exceed 25% of the weight upon which charges are assessed. Any excess over and above 25% will be charged for at the otherwise applicable truckload rate.					
/ NOTE B: Rates apply on articles referring to this note only when such articles are in mixed shipments with other articles named in this item not referring hereto. Total weight of the articles referring to this note shall not exceed 5% of the weight upon which charges are assessed.					

Rates are in Cents per 100 pounds

Item No.	Commodity	From	To	Rate	Route
/ 1925 (R)	Gas, Compressed, viz: Chlorine, liquefied, in steel cylinders, each weight 3,000 lbs. or more	Denver, Colo.	Boulder, Colorado	25	49
	Subject to shipper loading and consignee unloading. Minimum Weight 35,000 pounds.				
	Cylinders, compressed gas, each weighing 1,500 pounds or more empty returned, subject to Item No. 760. Subject to shipper loading and consignee unloading Minimum weight 15,000 pounds.	Boulder, Colo.	Denver, Colorado	20	

***** denotes - matter deleted as not pertinent here.

/ denotes - addition

NOI denotes - not otherwise indexed by name in the governing classification.

(R) denotes - reduction

Route 7 - Bethke Truck Lines - direct.

Route 47 - Red Ball Motor Freight, Inc. - direct.

Route 49 - Boulder-Denver Truck Line - direct.

Route 87 - Rio Grande Motor Way, Inc. - direct.

original

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 12TH STREET,)
LINCOLN 1, NEBRASKA, FOR AUTHORITY) APPLICATION NO. 19460-SECURITIES
TO ISSUE AND SELL \$4,050,000 AG-)
GREGATE PRINCIPAL AMOUNT OF FIRST)
MORTGAGE BONDS.)
-----)

December 10, 1962

Appearances: J. W. Preston, Esq., Pueblo,
Colorado, and
Melvin A. Hardies, Esq.,
Chicago, Illinois,
for Applicant;
J. M. McNulty, Denver, Colo-
rado, and
E. R. Thompson, 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 Application No. 19460-Securities with this Commission on November 19, 1962. By such application, Applicant seeks authority of this Commission to issue and sell \$4,050,000 principal amount of additional First Mortgage Bonds.

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 2:00 o'clock P. M., on December 3, 1962, in Room 532, State Services Building, Denver, Colorado, and was there heard by the Commission and taken under advisement. No petitions were filed in opposition to the application, and no one appeared at the hearing opposing the authority sought by the application.

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; 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, Southeastern Telephone Company and Morris Telephone Company. Central Telephone Company in turn owns a majority of the Common Stock of La Crosse Telephone Corporation, 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 Nevada, Minnesota, Iowa, Illinois, Wisconsin, Virginia, North Carolina and Florida.

On March 22, 1961, this Commission, by Decision No. 56141, in Application No. 18342, authorized Applicant to assume the First Mortgage Bonds of Southern Colorado Power Company (to which Applicant is successor by merger), and to issue new First Mortgage Bonds under the Indenture dated November 1, 1943 executed and delivered by Southern Colorado Power Company to The International Trust Company (under which The First National Bank of Chicago and William K. Stevens are now the Trustees), as theretofore amended and proposed to be amended.

Applicant now proposes to issue and sell, subject to the consummation of legal details and to the authorization of this Commission and the Nebraska State Railway Commission, \$4,050,000 principal amount of First Mortgage Bonds, Series due December 1, 1987, bearing an interest rate of 4.8% per annum (hereinafter called the "Bonds of the Series due December 1, 1987") to be issued under and secured by

the above-referred to Trust Indenture as, and as to be, amended. There was filed in the proceeding as Exhibit "A" a copy in proof form of the proposed Supplemental Trust Indenture dated December 1, 1962, from Applicant to The First National Bank of Chicago and William K. Stevens, as Trustees, supplementing the above-referred to Trust Indenture, as amended, and providing for and establishing the terms and conditions of the Bonds of the Series due December 1, 1987. Such Bonds will be substantially identical with the bonds of earlier series except as to dates of issue and maturity, interest rate and optional and sinking fund redemption prices, and except that the optional redemption privileges of Applicant will be restricted prior to December 1, 1967.

Applicant submitted as Exhibit "D" in the proceeding, a form of the purchase agreements by which the institutional investors named below have agreed or will agree to purchase the Bonds of the Series due December 1, 1987, for cash at 100% of the principal amount thereof, plus accrued interest, as follows:

\$1,500,000 -- Connecticut General Life Insurance Company

1,000,000 -- American National Insurance Company

850,000 -- Aid Association for Lutherans

500,000 -- Connecticut Mutual Life Insurance Company

200,000 -- Bankers Life Insurance Company of Nebraska.

Delivery of a portion of the Bonds of the Series due December 1, 1987 is expected to be made in December, 1962; the balance of this series is expected to be delivered not later than February 28, 1963. No commitment fee will be paid with respect to the deferred deliveries and no fee will be paid to any broker or agent for the placement of the issue.

In the opinion of the management of Applicant, the proposed issue of Bonds of the Series due December 1, 1987 is the best available means of securing the additional capital which Applicant requires at this time. In relation to current costs for long-term debt money, the interest rate of 4.8% per annum to be borne by the Bonds of the

Series due December 1, 1987 is reasonable. The five-year redemption restriction is currently customary in bonds sold to institutional investors and Applicant represents that such restriction is not expected to be burdensome to it.

The Bonds of the Series due December 1, 1987 will be issued against the certification to the Trustees of established permanent additions to Applicant's plant and property in an amount equal to $166\frac{2}{3}\%$ of the Bonds to be issued. Applicant represents that it has adequate established permanent additions available for this purpose.

The proceeds, after deduction of expenses estimated at approximately \$19,000, from the sale of the Bonds of the Series due December 1, 1987, will be used as follows: (1) to redeem all of Applicant's then outstanding Bonds of the Series due September 1, 1982 (which have a current optional redemption price of 104.875% plus accrued interest) (\$1,310,000), and to redeem all of Applicant's then outstanding Bonds of the Series due November 1, 1982 (which have a current redemption price of 105.38% plus accrued interest) (\$1,425,000), each of which series of bonds carries an interest rate of $5\frac{3}{8}\%$ per annum; (2) to reduce or discharge other indebtedness of Applicant; and (3) for expenditures in respect of construction, extension, completion and improvement of Applicant's facilities and in respect of investments made and expected to be made in additional shares of common stocks of Applicant's subsidiaries, Central Telephone Company, Southeastern Telephone Company and Morris Telephone Company.

Applicant's capitalization, as reflected on its balance sheet at September 30, 1962, filed in the proceeding as Exhibit "B" (as adjusted to reflect the issuance of the Bonds of the Series due December 1, 1987, and the redemption of the Bonds of the Series due September 1, 1982, and of the Bonds of the Series due November 1, 1982), will consist of 44.8% long-term debt, 22.3% preferred stock, and 32.9% common stock equity. As shown by the Company's income statement for

the twelve months ended September 30, 1962, filed in the proceeding as Exhibit "C", coverage for the interest requirements on the proposed additional Bonds is adequate.

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, CRS, 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 the foregoing Statement be, and it hereby is, adopted as part of the Findings herein.

That the proposed issue and sale by Western Power & Gas Company of \$4,050,000 principal amount of its First Mortgage Bonds, Series due December 1, 1987, for the purposes, on the terms and within the limitations, hereinabove described, is not inconsistent with the public interest; that such issue and sale are permitted by law and are consistent with the provisions of Chapter 115-1-4, CRS, 1953; and that the Order sought should be issued and be made effective forthwith.

O R D E R

THE COMMISSION ORDERS:

That the issue and sale by Western Power & Gas Company of \$4,050,000 principal amount of its First Mortgage Bonds, Series due December 1, 1987, for the purposes, on the terms and within the limitations, hereinabove described, be, and it hereby is, authorized and approved.

That the securities issued hereunder shall bear on the face thereof for proper and easy identification thereof a legend as follows:

C. P. U. C. Identification No. 19460

That within ninety (90) days after the final delivery of such First Mortgage Bonds, Series due December 1, 1987, Applicant shall file with the Commission a verified report showing the respective

sales of such Bonds and the costs and expenses incurred by the Applicant incident to such sales. Applicant shall file with such report a copy of the Supplemental Trust Indenture dated December 1, 1962, as executed.

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

This Order shall become effective as of the day and date hereof. The authorization hereby granted shall, however, expire if not exercised prior to April 1, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Regio
Harold C. Holton
Henry B. Zurlungo
Commissioners.

Dated at Denver, Colorado,
this 10th day of December, 1962.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MELTON TRANSPORT COMPANY, P. O. BOX)
477, ADAMS CITY, COLORADO, FOR AU-)
THORITY TO TRANSFER PUC NO. 1246 TO) APPLICATION NO. 19454-Transfer
WARD TRANSPORT, INC., P. O. BOX 133,)
PUEBLO, COLORADO.)
-----)

IN THE MATTER OF THE APPLICATION OF)
MELTON TRANSPORT COMPANY, P. O. BOX)
477, ADAMS CITY, COLORADO, FOR AU-)
THORITY TO TRANSFER PUC NO. 1387 TO) APPLICATION NO. 19455-Transfer
WARD TRANSPORT, INC., P. O. BOX 133,)
PUEBLO, COLORADO.)
-----)

December 10, 1962

Appearances: Leslie R. Kehl, Esq.,
Denver, Colorado,
for Transferor and
Transferee.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Melton Transport Company is the owner and operator of
Certificates of Public Convenience and Necessity PUC No. 1246 & I
and PUC No. 1387 & I, authorizing for-hire motor vehicle common
carrier operations as follows:

PUC No. 1246 & I

ICC MC-88413: Transportation of petroleum
in bulk, in tank trucks, from the Colorado-
Kansas state line where US 40 crosses same,
over irregular routes to points and places
in that part of Colorado north and east of
a line beginning at the Colorado-Kansas state
line and extending west along US 40 to Granby,
Colorado; thence in a northeasterly direction
along Colo. Highway 16 to Loveland, Colorado;
thence in a northeasterly direction along US 87
to junction of US 287; thence in a northwesterly
direction along US 287 to the Colorado-Wyoming
state line; including points and places on the
indicated portions of the highways specified;

and from Granby to Craig, Colorado, over US 40; and from Craig to the Colorado-Wyoming state line over Colo. 13; from Denver to the Colorado-New Mexico state line over US 85; and from Pueblo to Canon City over US 50; from Manitou Springs, Colorado, to Limon, Colorado, over US 24; all in interstate commerce, only, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

Transportation of bulk petroleum products between points in Colorado.

Transportation of crude oil, in tank truck lots, between points within the State of Colorado.

PUC No. 1387 & I

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

Transportation of petroleum products, in bulk, between all points in the State of Colorado.

Ward Transport, Inc. is the owner and operator of Certificate of Public Convenience and Necessity No. 1497 & I, authorizing for-hire motor vehicle common carrier operations as follows:

PUC No. 1497 & I

Transportation of petroleum products in bulk between all points in the State of Colorado.

Transportation of crude oil in tank truck lots between points within the State of Colorado. Interstate authority between all points in Colorado and the Colorado boundary lines where all highways cross same in interstate commerce only, subject to the provisions of the Federal Motor Carrier Act of 1935.

By the instant application, Melton Transport Company seeks approval of this Commission for the transfer of PUC No. 1246 and PUC No. 1387 to Ward Transport, Inc. It appears that Ward Transport, Inc. is presently the parent corporation of Melton Transport Company and owns 100 percent of the stock of the subsidiary corporation.

These matters were set for hearing upon proper notice on Friday, November 30, 1962, at the offices of the Commission in Denver, Colorado. Upon being called for hearing, the presiding Commissioner announced that the transfer applications would be consolidated for hearing. There being no objection, proceedings were heard on consolidated record and will be disposed of herein by consolidated report and Order.

No one appeared in opposition to the granting of the application. Ward Transport, Inc., as transferee, is a Colorado corporation and is actively engaged in operations under the authority contained in Certificate of Public Convenience and Necessity PUC No. 1497 and I. Balance sheet of Ward Transport, Inc. is attached to the application and was authenticated by witness Donald S. Smith as correctly reflecting the financial condition of that company. Witness Smith further testified that the present transfer was part of a complete merger whereby all of the assets of Melton Transport Company will be transferred to Ward Transport, Inc. in exchange for cancellation of the capital stock of Melton Transport Company. Liquidation Agreement was introduced into evidence as Exhibit "A". An equipment list attached to the application was Exhibit "B" was authenticated by Witness Smith, and in addition, Melton Transport Company operates 46 tractors, 63 semi-trailers and 2 service cars. Under the proposal, all of the vehicles operated by Melton will be transferred to Ward and will thereafter be available to render the service as required under the authority sought to be transferred herein.

Based upon all the evidence of record, we find and conclude that Ward Transport, Inc. is financially and otherwise fit and able to conduct the operations authorized and required under the authorities herein to be transferred. We further find and conclude that the transfer of the operating rights here involved is compatible with the public interest and should be authorized. Transferee, Ward Transport, Inc., will be subject to any outstanding indebtedness against the operations of Melton Transport Company.

O R D E R

THE COMMISSION ORDERS:

That Melton Transport Company be, and hereby is, authorized to transfer all its right, title and interest in and to Certificate of Public Convenience and Necessity PUC No. 1246 and PUC No. 1387 to Ward Transport, Inc., P. O. Box 133, Pueblo, Colorado, subject to payment of outstanding indebtedness against said operations, if any there be,

whether secured or unsecured.

That the operating rights as contained in Certificates of Public Convenience and Necessity PUC No. 1246 and PUC No. 1387 shall be consolidated with and become a part of Certificate of Public Convenience and Necessity PUC No. 1497 now held by Ward Transport, Inc., and that all duplicating authority herein shall be cancelled; also, that interstate authority under PUC No. 1246 and PUC No. 1387 are hereby cancelled.

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 (PUC No. 1246 and PUC No. 1387) have been formally assigned and that said parties have accepted and in the future will comply with the conditions and requirements of this Order. 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, unless such time shall be extended by the Commission, upon proper application.

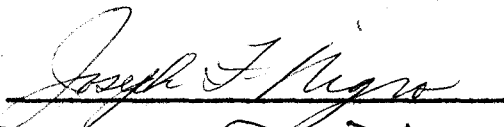
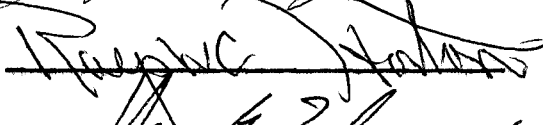

The right of Transferee to operate under this Order shall depend upon compliance with all present and future laws and Rules and Regulations of the Commission and the prior filing by the Transferor of delinquent reports, if any, covering operations under said certificates up to the time of the transfer of said certificates.

The operating rights herein authorized to be transferred shall be and become a part of Certificate No. PUC 1497.

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.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 10th day of December, 1962.

es

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 59788)

* * *

RE MOTOR VEHICLE OPERATIONS OF
ROBERT A. CONNELL, 4400 NORTH
BROADWAY, BOULDER, COLORADO.

PERMIT NO. B-6096

December 13, 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-6096 be suspended one year for ~~six months~~ from December 1, 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 Robert A. Connell, Boulder, Colorado

be, and is hereby, authorized to suspend his operations under Permit No. B-6096 until December 1, 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. Woodard
Kenny E. Zurlings
Commissioners

Dated at Denver, Colorado,
this 13th day of December, 19 62.

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 59789)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
RUDOLPH R. PROCTOR, 260 MARSHALL,)
LAKEWOOD 26, COLORADO.)

PERMIT NO. B-6084

December 20, 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-6084 be suspended
for six months from December 6, 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 Rudolph R. Proctor, Lakewood 26, Colorado

be, and is hereby, authorized to suspend his operations under Permit
No. B-6084 until June 6, 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. Negro
Frank C. Proctor
Henry E. Zullinger
Commissioners

Dated at Denver, Colorado,
this 20th day of December, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ED CLEMENTS, P. O. BOX 195, GRAND)
JUNCTION, COLORADO.)
-----)

PERMIT NO. M-13130

December 20, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Ed Clements, Grand
Junction, Colorado
requesting that Permit No. M-13130 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13130, heretofore issued to Ed Clements, Grand Junction
Colorado be,
and the same is hereby, declared cancelled effective November 30, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Edward C. [unclear]
Harold E. [unclear]
Commissioners

Dated at Denver, Colorado,

this 20th day of December, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
IVAN J. SELF, P. O. BOX 252, PAGOSA)
SPRINGS, COLORADO.)
)
)
-----)

PERMIT NO. M-14887

December 20, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Ivan J. Self,
Pagosa Springs, Colorado
requesting that Permit No. M-14887 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14887, heretofore issued to Ivan J. Self,
Pagosa Springs, Colorado be,
and the same is hereby, declared cancelled effective December 4, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Nelson
Commissioners

Dated at Denver, Colorado,

this 20th day of December, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
G. L. SCARBOROUGH, DOING BUSINESS AS,)
"SCARBOROUGH IMPLEMENT COMPANY", 790)
MAIN, SPRINGFIELD, COLORADO.)
-----)

PERMIT NO. M-9735

December 20, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from G. L. Scarborough,
doing business as, "Scarborough Implement Company", Springfield, Colorado
requesting that Permit No. M-9735 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-9735, heretofore issued to G. L. Scarborough, doing
business as, "Scarborough Implement Company", Springfield, Colorado be,
and the same is hereby, declared cancelled effective November 17, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,
this 20th day of December, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MERCHANTS EXTRACT COMPANY, 1118)
CHAMPA STREET, DENVER 4, COLORADO.)
-----)

PERMIT NO. M-5668

December 20, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Merchants Extract
Company, Denver 4, Colorado
requesting that Permit No. M-5668 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-5668, heretofore issued to Merchants Extract Company,
Denver 4, Colorado be,
and the same is hereby, declared cancelled effective September 1, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Hout
Henry E. Zurlings
Commissioners

Dated at Denver, Colorado,

this 20th day of December, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

WILLIAM H. BRAUER, 312 SOUTH OAK,
KIMBALL, NEBRASKA.

PERMIT NO. M-14029

December 20, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from William H. Brauer,
Kimball, Nebraska
requesting that Permit No. M-14029 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14029, heretofore issued to William H. Brauer,
Kimball, Nebraska be,
and the same is hereby, declared cancelled effective December 11, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,

this 20th day of December, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CHARLES J. VERNETTI, DOING BUSINESS)
AS, "VERNETTI'S GAS", 308 MAIN STREET,)
CANON CITY, COLORADO.)
-----)

PERMIT NO. M-12091

December 20, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Charles J. Verneti,
doing business as, "Verneti's Gas", Canon City, Colorado
requesting that Permit No. M-12091 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12091, heretofore issued to Charles J. Verneti,
doing business as, "Verneti's Gas", Canon City, Colorado be,
and the same is hereby, declared cancelled effective August 31, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. [unclear]
Commissioners

Dated at Denver, Colorado,
this 20th day of December, 19 62.

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 20, 1962

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 November 23, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 20th day of December, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JOSEPH L. CAUTRELL AND LUKE CAUTRELL,)
DOING BUSINESS AS, "CAUTRELL BROTHERS",)
TABERNASH, COLORADO.)
-----)

PERMIT NO. M-8644

December 20, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Joseph L. Cautrell ,
doing business as, "Cautrell Brothers", Tabernash, Colorado
requesting that Permit No. M-8644 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8644, heretofore issued to Joseph L. Cautrell,
doing business as, "Cautrell Brothers", Tabernash, Colorado be,
and the same is hereby, declared cancelled effective December 4, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 20th day of December, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
HARRY W. JONES, 602 "D" AVENUE,)
LA JUNTA, COLORADO.)

PERMIT NO. M-13069

December 20, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Harry W. Jones,
La Junta, Colorado
requesting that Permit No. M-13069 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13069, heretofore issued to Harry W. Jones,
La Junta, Colorado be,
and the same is hereby, declared cancelled effective December 13, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Hobart
Commissioner
Hunt C. Zerk

Dated at Denver, Colorado,

this 20th day of December, 19 62.

PERMIT NO. M-10211

STATEMENT

FINDINGS

ORDER

Joseph F. Nigro
 Ralph C. Norton
 Commissioners

hc

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
CLEMENTE MONTANO, ROUTE 4,)
BOX 158, PUEBLO, COLORADO.)

PUC NO. 3813

December 20, 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. 3813 be suspended for six months from November 23, 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 Clemente Montano, Pueblo, Colorado

_____ be, and is hereby, authorized to suspend operations under PUC No. 3813 until May 23, 1963.

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
Samuel C. Hobart
Henry C. Zuckerman

Dated at Denver, Colorado,
this 20th day of December, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
PAUL MILTON LEWIS, 11TH AND L. STREET,))
PENROSE, COLORADO.))
-----))

PERMIT NO. M-10639

December 20, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Paul Milton Lewis,
Penrose, Colorado
requesting that Permit No. M-10639 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10639, heretofore issued to Paul Milton Lewis,
Penrose, Colorado be,
and the same is hereby, declared cancelled effective December 7, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 20th day of December, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE INCREASED AND REDUCED CHARGES	}	INVESTIGATION AND SUSPENSION DOCKET NO. 505
APPLICABLE TO EXPRESS SHIPMENTS		
<u>VIA CERTAIN BUS CARRIERS</u>		

December 11, 1962

STATEMENT AND FINDINGS

BY THE COMMISSION:

By our decision No. 59744, dated November 30, 1962, we suspended the operation of third revised page G-2, local exception No. 2, of Western Express Tariff No. A-605-A, Colo. PUC No. 63, issued by National Bus Traffic Association, Agent, such schedule being applicable over the lines of Colorado Motorway, Inc., Denver-Boulder Bus Company and Colorado Transportation Company. The suspended schedules were filed with the Commission on October 25, 1962, scheduled to become effective December 1, 1962 with the operation thereof deferred to and including March 31, 1963.

Respondent carriers, by Mr. I. B. James, urge that we lack authority to suspend schedules on the expiration of thirty days from the time of filing the same with the Commission. Under this contention, the date for an order suspending the proposed schedules was not later than November 24, 1962. The Public Utilities Law, C.R.S. 115-6-11. Hearing on Schedules -- suspension -- new rates, reads:

"Whenever there shall be filed with the commission any schedule stating an individual or joint rate, fare, toll, rental charge, classification, contract, practice, rule or regulation, the commission shall have power, and it is hereby given authority, either upon complaint or upon its own initiative and without complaint, at once, and if it so orders, without answer or other formal pleadings by the interested public utilities, but upon reasonable notice to enter upon a hearing concerning the propriety of such rate, fare, toll, rental, charge, classification, contract, practice, rule or regulation, and pending the hearing and decision thereon, such rate, fare, toll, rental, charge, classification, contract, practice, rule or regulation shall not go into effect; provided, that the period of suspension

of such rate, fare, toll, rental, charge, classification, contract, practice, rule or regulation shall not extend beyond one hundred and twenty days beyond the time when such rate, fare, toll, rental, charge, classification, contract, practice, rule or regulation would otherwise go into effect unless the commission, in its discretion, extends the period of suspension for a further period not exceeding six months.

"On such hearing the commission shall establish the rates, fares, tolls, rules or regulations proposed, in whole or in part, or others in lieu thereof, which it shall find just and reasonable. All such rates, fares, tolls, rentals, charges, classifications, contracts, practices, rules or regulations not so suspended, on the expiration of thirty days from the time of filing the same with the commission, or of such lesser time as the commission may grant, shall go into effect and be the established and effective rates, fares, tolls, rentals, charges, classifications, contracts, practices, rules and regulations, subject to the power of the commission, after a hearing had on its own motion or upon complaint, as herein provided, to alter or modify the same." (Emphasis supplied).




We therefore find that the order should be vacated and the proceeding discontinued.

O R D E R

THE COMMISSION ORDERS, That:

1. The Statement and Findings herein be, and they are hereby made a part hereof.
2. The order heretofore entered in this proceeding (Decision No. 59744, dated November 30, 1962) suspending the operation of the schedules referred to in the statement and findings herein and ordering an investigation as to the lawfulness thereof, be and is hereby vacated and set aside as of December 11, 1962, and that this proceeding be discontinued.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado this
11th day of December, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE SANGRE DE CRISTO ELECTRIC ASSOCI-)
ATION, INC., A COLORADO CORPORATION,)
FOR PERMISSION TO BORROW MONEY FROM) APPLICATION NO. 19494-SECURITIES
THE RURAL ELECTRIFICATION ADMINISTRA-)
TION.)
-----)

December 12, 1962

Appearances: Robert P. Rush, Esq.,
Salida, Colorado, for
Applicant;
J. M. McNulty, Denver,
Colorado, and
E. R. Thompson, Denver,
Colorado, for the
Commission.

S T A T E M E N T

By the Commission:

By this application, Sangre De Cristo Electric Association, Inc. asks that this Commission authorize the Applicant to borrow from the Rural Electrification Administration \$261,000 to be evidenced by a mortgage note made by Sangre De Cristo Electric Association, Inc. with the United States of America, in the amount of \$261,000, maturing over a period of thirty-five (35) years and bearing interest at the rate of two percent (2%) per annum, and to approve Amendment dated as of October 10, 1962, to Amending Loan Contract dated as of April 24, 1957, as amended, and to authorize Applicant to use the proceeds therefrom for specified purposes.

The matter was set for hearing after due notice to all interested parties, on Monday, December 10, 1962, 532 State Services Building, Denver, Colorado, and at said time and place the application was heard by the Commission, and at the conclusion thereof, taken under advisement.

No protests were filed with the Commission with regard to this application, and no one appeared at the hearing in opposition to the granting of the authority sought.

Applicant is a Colorado corporation and is engaged in the business of purchasing, generating, accumulating, and acquiring electric energy and the transmitting, distributing, and selling of said electric energy to both members and non-members, if any, of the Association, in certain areas of Chaffee, Fremont, Custer and Lake Counties in the State of Colorado. On September 25, 1958, Sangre De Cristo Electric Association, Inc. was granted a full certificate of convenience and necessity as a public utility under the jurisdiction of this Commission by Application No. 15790, Decision No. 50984. The principal office of Applicant is located at Salida, Colorado.

Testimony at the hearing revealed that Applicant has, from time to time, borrowed money from the United States of America through the Rural Electrification Administration, to finance the acquisition, construction, and rehabilitation of electrical properties, and for the construction of new electrical properties and facilities within the area it serves. In this instance, Applicant seeks authority to borrow from the United States Government \$261,000, which money is to be used for construction of approximately 47 miles of distribution lines, other general improvements to the system, and for reimbursements of general funds already spent for construction purposes.

Applicant introduced at the hearing its Balance Sheet as of October 31, 1962, in evidence of its sound financial position.

Applicant's witness testified that Sangre De Cristo is up-to-date in its payments of interest and repayment of debt. Applicant's witness stated that the revenues exceeded expenses during the year ended October 31, 1962, in the amount of \$17,710. He stated that it is expected future operations would be sufficient to meet all the company's obligations, particularly as to the payment of interest and the repayment of debt.

From the evidence adduced at the hearing, it appears that the issuance of \$261,000 note by Sangre De Cristo Electric Association, Inc. is not inconsistent with the public interest and provisions of law, and should be authorized and approved.

F I N D I N G S

THE COMMISSION FINDS:

That this Commission has jurisdiction of the facilities of Sangre De Cristo Electric Association, Inc., and as to the subject matter of the instant application.

That the 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 as set forth in Exhibit No. 6 and as introduced in the instant proceeding, should be authorized and approved.

That the issuance by Applicant of the Amending Loan Contract as set forth in Exhibit No. 5, and as introduced in the instant proceeding, should be authorized and approved.

That within one hundred twenty (120) days of the execution of either of these instruments authorized herein, 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 as set forth in Exhibit No. 6 in the amount of \$261,000, be, and the same is hereby, authorized and approved.

That the issuance by Sangre De Cristo Electric Association, Inc. of the Amending Loan Contract, as set forth in Exhibit No. 5, be, and the same is hereby, authorized and approved.

That within one hundred and twenty (120) days of the execution of any of the instruments authorized herein, Applicant shall file one conformed copy of each instrument with the Commission.

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Richard C. Anton
Henry J. Paulings
Commissioners.

Dated at Denver, Colorado,
this 12th day of December, 1962.

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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF) YELLOW CAB, INC., 3455 RINGSBY COURT,) DENVER, COLORADO, FOR CLARIFICATION) OF AUTHORITY UNDER PUC NO. 1223.)	<u>APPLICATION NO. 19471</u> <u>Clarification</u>

IN THE MATTER OF THE APPLICATION OF) YELLOW CAB, INC., 3455 RINGSBY COURT,) DENVER, COLORADO, FOR CLARIFICATION) OF AUTHORITY UNDER PUC NO. 1529.)	<u>APPLICATION NO. 19472</u> <u>Clarification</u>

IN THE MATTER OF THE APPLICATION OF) YELLOW CAB, INC., 3455 RINGSBY COURT,) DENVER, COLORADO, FOR CLARIFICATION) OF AUTHORITY UNDER PUC NO. 2204.)	<u>APPLICATION NO. 19473</u> <u>Clarification</u>

IN THE MATTER OF THE APPLICATION OF) YELLOW CAB, INC., 3455 RINGSBY COURT,) DENVER, COLORADO, FOR CLARIFICATION) OF AUTHORITY UNDER PUC NO. 2378.)	<u>APPLICATION NO. 19474</u> <u>Clarification</u>

IN THE MATTER OF THE APPLICATION OF) YELLOW CAB, INC., 3455 RINGSBY COURT,) DENVER, COLORADO, FOR CLARIFICATION) OF AUTHORITY UNDER PUC NO. 2450.)	<u>APPLICATION NO. 19475</u> <u>Clarification</u>

December 13, 1962

Appearances: Walter M. Simon, Esq., Denver,
Colorado, for Applicant;
John F. Mueller, Esq., Denver,
Colorado, for Dollar Cab
Line.

STATEMENT AND ORDER

By the Commission:


The above mentioned applications were called up for hearing on December 5, 1962, at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, and pursuant to stipulation of counsel for the respective parties, it was stipulated that the issues involved be submitted to the Commission for determination on a written


memoranda to be filed with the Commission by the parties, on or before December 28, 1962, which memoranda are to include a statement of issues, the contentions made, and the arguments in support thereof. In said memoranda the parties may include a request for the taking of evidence at a hearing to be set by the Commission, if they so desire, setting forth the reasons why such evidence should be presented to the Commission for determination of the matter.

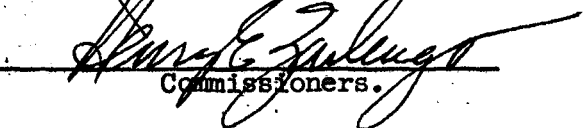
The Commission finds that the stipulation of the parties as hereinabove set out is compatible with the public interest, and is hereby ordered that the matter shall stand in recess until after receipt of the said memoranda by the Commission, after which the Commission will render its decision, or re-set the matter for further hearing.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO






Commissioners.

Dated at Denver, Colorado,
this 13th day of December, 1962.

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original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE UNION PACIFIC RAILROAD COMPANY,)	
DENVER, COLORADO, FOR AUTHORITY TO)	<u>INVESTIGATION AND SUSPENSION</u>
DISCONTINUE AGENCY STATION AT)	<u>DOCKET NO. 499</u>
PIERCE, WELD COUNTY, COLORADO.)	

December 13, 1962

Appearances: E. G. Knowles, Denver, Colo-
rado, for Union Pacific
Railroad Company;
J. Norman Brown, Pierce, Colo-
rado,
Charles M. Van Why, Pierce,
Colorado, and
Mrs. Ray Brumfield, Pierce,
Colorado, for Protestants;
R. E. Dent, Perry, Kansas, and
G. K. Greeno, Denver, Colorado,
for the Brotherhood of Rail-
way Telegraphers, Protestants.

S T A T E M E N T

By the Commission:

On August 6, 1962, petition in the instant matter was filed with the Commission and received as Application No. 19276. Request was made for an order to authorize withdrawal of the agency at Pierce, Colorado, effective September 30, 1962. In conformance with the Commission's rules herein, public notice of the proposed change of service was posted at the station.

Subsequent to said public posting, letters of protest were received by the Commission. By Decision No. 59359, dated September 27, 1962, the Commission suspended the proposed station closing pending investigation and further order of the Commission. Said Application No. 19276 was thereupon transferred to Commission Investigation and Suspension Docket No. 499. Said Docket was regularly set for hearing before the Commission, at the Court House, Greeley, Colorado,

November 2, 1962, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On October 29, 1962, the Commission, as provided by law, designated Edwin R. Lundborg, an employee of the Commission, to conduct the hearing on said application.

The evidence adduced at the hearing shows:

Pierce is a station on the Wyoming division of the Railroad, and, particularly, is located on the line of the Railroad between Denver, Colorado, and Cheyenne, Wyoming. It is 40.7 miles south from Cheyenne and is 3.8 miles north of Ault, Colorado, which is the closest agency station.

Pierce is on U. S. Highway 85 along which Greyhound operates five schedules daily in each direction.

All services now performed for patrons by the agent at Pierce can and will be promptly and adequately taken care of by the agent at Ault. No telephone charges are involved. When necessary to call to Greeley for services, toll charges will be paid by the Railroad Company.

Pierce has an estimated population of about 359 persons, and is in an agricultural and cattle feeding and ranching area. It has a number of businesses in the town, and two grain elevators, operated by J. Norman Brown under the name of the Pierce Elevators, Incorporated.

The Railroad has only one employee located at Pierce, and he is an agent-telegrapher assigned to be on duty from Monday to Friday each week from 8:00 o'clock A. M., to 5:00 o'clock P. M. Almost all of the stations' revenue results from carload shipments with a very small volume of LCL freight. These shipments of LCL freight, milk, and cream, express and baggage are handled to and from Pierce by Union Pacific Motor Freight, the supplemental service over the highway owned and operated by the Railroad.

Carload freight is and can be adequately taken care of both inbound and outbound without the service of a resident agent as is presently being done at Pierce for the nearby non-agency stations of Dover and Nunn, at Ault, Colorado, four miles from Pierce. The billing can be handled at Ault or Greeley with little inconvenience to any of the carload patrons.

Local freight service at Pierce is performed by the La-Salle-Greeley switcher daily except Sunday and even on Sunday orders for special service can be handled through Greeley. Through freight service by regular freight trains also is available when required for carload business.

No passenger tickets have been sold for several years. Only one passenger train stops at Pierce on its way from Cheyenne to Denver, on flag, but there has been no occasion for stopping the train for a passenger for a number of years. Union Pacific Motor Freight services Pierce with two trucks in each direction five days a week, and the freight is handled into and out of the station by the agent, if on duty, otherwise by the truck driver, and is delivered in the ordinary fashion by the agent during his time on duty. The Railroad proposes to handle all shipments of LCL freight and express to persons located in Pierce by pickup and delivery at the store door. Arrangements will be made to handle milk and cream or other commodities to and from the depot, or a suitable building in place thereof.

U. S. Mail is presently and in the future will be handled by the mail messenger to and from the depot. It is brought in by the Union Pacific Motor Freight trucks and also by Trains Nos. 9 and 18 which drop off mail bags. The messenger has to handle the mail sacks herself and she has a key to the freight depot. She hangs the outgoing mail on the mail cranes for pickup by Trains Nos. 9 and 10. The service of the agent is not required for the purpose of handling mail.

Relative to the handling of express and Western Union messages, the same service as now afforded will be performed by the agent at Ault.

The average expense of operating the agency at Pierce, including salary, stationery, material and supplies, heating, telephone and lights has averaged slightly over \$6,000.00 for the years 1959, 1960, and 1961. These figures appear on Exhibit A. Exhibit B, which recites the earnings from Pierce business, only discloses that the Union Pacific revenue from all sources other than carload freight revenue (the handling of which does not require the service of an agent at Pierce) for the years 1959, 1960, and 1961 averages slightly over \$1,100.00.

At the hearing, testimony was received from J. Norman Brown, Charles M. Van Why and Mrs. Ray Brumfield, all of Pierce, who indicated that freight handled at Pierce without an agent would not be as convenient as at the present time.

R. E. Dent of the Brotherhood of Railway Telegraphers, questioned Mr. Robison concerning future handling of LCL freight and milk and cream.

From the foregoing it appears that we have the proposal that withdrawal of the Agent services at Pierce will eliminate an increasing expense item which cannot be justified by the small public need. Elimination of the expense will afford a savings to the Railroad. No reduction in switching or carload rail service is proposed; there is practically no passenger service offered; LCL freight and mail will continue to be handled by Union Pacific Motor Freight Company, and agency service will be available at the Ault station.

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 in-

convenience railroad patrons in the Pierce area since essential switching and related rail services will be maintained and alternate agency service is readily available.

F I N D I N G S

THE COMMISSION FINDS:

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

That safe and economical railroad operation does not require the maintenance of an agent at the Pierce station, Pierce, Colorado.

That public convenience and necessity in the Pierce area can be adequately served by other agency stations.

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 Pierce, Weld 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 twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph L. Figue
Ralph S. Norton
Harold J. Ziegler
Commissioners.

Dated at Denver, Colorado,
this 13th day of December, 1962.
mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MOUNTAIN VIEW ELECTRIC ASSOCIATION,)
INC., LIMON, COLORADO, FOR AN EX-)
TENSION OF ITS CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY TO FURNISH) APPLICATION NO. 19443-Extension
ELECTRIC SERVICE FOR LIGHT, HEAT,)
POWER, AND OTHER PURPOSES, IN AN)
AREA IN PUEBLO COUNTY, COLORADO.)
-----)

December 14, 1962

Appearances: Robert T. James, Esq.,
Colorado Springs, Colo-
rado, for Applicant;
Everett R. Thompson, Denver,
Colorado, and
Paul M. Brown, Denver, Colo-
rado, for the Staff of
the Commission.

S T A T E M E N T

By the Commission:

The above-entitled matter was set for hearing after due notice to all interested parties, on November 14, 1962, at two o'clock P. M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, and was heard at said time by Edwin R. Lundborg, a duly appointed Examiner for the Commission. Evidence received and testimony taken in the matter, together with the Examiner's Report and recommendations were all submitted to the Commission, and the matter was taken under advisement.

This is an application by Mountain View Electric Association, Inc., Limon, Colorado, for an extension of its certificate of public convenience and necessity to furnish electric service for light, heat, power and other purposes into an area in Pueblo County, Colorado.

No one appeared at the hearing in opposition to the authority sought to be granted by this application.

Applicant is a corporation duly organized and existing under and by virtue of the laws of the State of Colorado, and is a public utility subject to the jurisdiction of this Commission engaged in the business of transmitting, distributing and selling electrical energy at various points within the State of Colorado.

Applicant's witness, A. C. Payne, of Limon, Colorado, Manager for Applicant, testified that a certified copy of Applicant's certificate of incorporation, with all amendments thereto, has heretofore been filed with this Commission.

On August 28, 1962, this Commission issued its Decision No. 59159, Application No. 19197, which was also an application for an extension of its certificate of public convenience and necessity. The factual situation relative to Applicant has not changed materially since said decision.

Exhibits "B" and "C" set forth the current financial situation of Applicant. Exhibit "A" is a map of the additional territory sought in this application. Exhibit "D" is a complete description of the exterior boundaries of the certificated area, including the extension sought in this application. Exhibit "E" is a map of the area pursuant to the metes and bounds description of Exhibit "D."

As a matter of fact, Applicant has been supplying electric service to the area herein sought since August of 1944, and now serves 53 customers therein. As of the time Applicant established service in the extended area it was not a public utility and did not then require a certificate for such extension. The said area as herein involved is not now served by any other public utility of like character to Applicant. The area is served under the same rates, rules and regulations of Applicant as now on file with this Commission in its Tariff Colorado PUC No. 1.

Applicant is financed by the Rural Electrification Administration of the United States Government and so appears to have available to it the necessary financing to make extensions of its facilities in its existing areas and in the area sought to be certificated herein from time to time as required.

The certificate area boundary description of Applicant contained in Decision No. 59159 should be redefined so as to incorporate therein the extended area as sought herein.

The Report of the Examiner recommends that the request for the extension to its certificated area as applied for herein be granted by appropriate Order of this Commission.

F I N D I N G S

THE COMMISSION FINDS:

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

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

That public convenience and necessity requires and will continue to require Applicant to provide electric service in the extended area sought herein.

That the terms and conditions of the order contained in Decision No. 59159 of August 28, 1962, should not be modified except to change the boundary of the certificated area set forth in the decision to follow.

That the Commission is informed in the matter, and the Report of the Examiner should be approved.

O R D E R

THE COMMISSION ORDERS:

That the Report of Examiner as submitted in the instant matter, be, and the same hereby is, approved.

That public convenience and necessity require and will require the continued operation and extensions thereto as required by Applicant in its existing certificated area and the extended area sought herein, and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

That the total exterior boundary, including the presently certificated area and extended area sought herein, is as follows:

Beginning at a point in the Southwest corner of the Southwest Quarter of Section 18, Township 8-South, Range 65-West, 6th P. M.; thence East 5 miles to the Northeast corner of Section 23, Township 8-South, Range 65-West; thence South 6 miles to the Southeast corner of Section 14, Township 9-South, Range 65-West; thence East 7 miles to the Southeast corner of Section 13, Township 9-South, Range 64-West; thence North 2 miles to the Southwest corner of Section 6, Township 9-South, Range 63-West; thence approximately 2.8 miles in a Northeasterly direction, beginning at said Southwest corner of Section 6, Township 9-South, Range 63-West, to the Northwest corner of Section 33, Township 8-South, Range 63-West; thence East 4 miles to the Northeast corner of Section 36, Township 8-South, Range 63-West; thence South 1 mile to the Southeast corner of Section 36, Township 8-South, Range 63-West; thence East 2 miles to the Northeast corner of Section 5, Township 9-South, Range 62-West; thence North 6 miles to the Northwest corner of Section 4, Township 8-South, Range 62-West; thence approximately 19.5 miles in a northeasterly direction to the Northwest corner of Section 6, Township 6-South, Range 59-West; thence East 18 miles to the Southwest corner of Section 31, Township 5-South, Range 56-West; thence North 6 miles to the Northwest corner of Section 6, Township 5-South, Range 56-West; thence East 13 miles to the Northeast corner of Section 6, Township 5-South, Range 54-West; thence South 3 miles to the Southwest corner of Section 17, Township 5-South, Range 54-West; thence East 4 miles to the Southwest corner of Section 13, Township 5-South, Range 54-West; thence South 3 miles to the Southeast corner of Section 35, Township 5-South, Range 54-West; thence East approximately 12 miles to the Northeast corner of Section 1, Township 6-South, Range 52-West; thence South 12 miles to the Southeast corner of Section 36, Township 7-South, Range 52-West; thence West 17 miles to the Northwest corner of Section 5, Township 8-South, Range 54-West; thence South 9 miles to the Southeast corner of Section 18, Township 9-South, Range 54-West; thence West 1 mile to the Southwest corner of Section 18, Township 9-South, Range 54-West; thence South 3 miles to the Southeast corner of Section 36, Township 9-South, Range 55-West; thence West 6 miles to the Northwest corner of Section 6, Township 10-South, Range 55-West; thence Southerly approximately 12 miles along the East boundary line of Range 56-West to the Southwest corner of Section 31, Township 11-South, Range 55-West; thence East 12 miles to the Southwest corner of Section 31, Township 11-South, Range 53-West; thence North approximately 12 miles along the East boundary line of Range 54 to the Northwest corner of Section 6, Township 10-South, Range 53-West; thence East 12 miles to the Northeast corner of Section 1, Township 10-South, Range 52-West; thence Southerly along the East boundary line of Range 52 West a distance of approximately 47 miles to the Southeast corner of Township 17-South, Range 52-West; thence Westerly along the South boundary line

of Township 17-South, Ranges 52, 53, 54, 55, 56, 57, and 58 West to the Southwest corner of Section 35, Township 17-South, Range 58-West; thence North $17\frac{1}{2}$ miles to the Southwest corner of the North half of Section 2, Township 15-South, Range 58-West; thence West 22 miles to the Southwest corner of the North half of Section 6, Township 15-South, Range 61-West; thence South $17\frac{1}{2}$ miles to the Southeast corner of Section 36, Township 17-South, Range 62-West; thence West 7 miles to the Northeast corner of Section 2, Township 18-South, Range 63-West; thence South 5 miles to the Southeast corner of Section 26, Township 18-South, Range 63-West; thence West 9 miles to the Northwest corner of Section 33, Township 18-South, Range 64-West; thence South $\frac{1}{2}$ mile to the Southeast corner of the $N\frac{1}{2}$ of Section 32, Township 18-South, Range 64-West; thence West 4 miles to the Southwest corner of the $N\frac{1}{2}$ of Section 35, Township 18-South, Range 65-West; thence North $5\frac{1}{2}$ miles to the Northwest corner of Section 2, Township 18-South, Range 65-West; thence West 4 miles to the Southwest corner of Section 31, Township 17-South, Range 65-West; thence North 6 miles to the Northwest corner of Section 6, Township 17-South, Range 65-West; thence East 6 miles to the Northwest corner of Section 6, Township 17-South, Range 64-West; thence North 10 miles to the Northwest corner of Section 18, Township 15-South, Range 64-West; thence West 4 miles to the Southwest corner of Section 9, Township 15-South, Range 65-West; thence North 7 miles to the Southwest corner of Section 4, Township 14-South, Range 65-West; thence West 1 mile on the section line to the Southwest corner of Section 5, Township 14-South, Range 65-West; thence North 4 miles to the Southwest corner of Section 17, Township 13-South, Range 65-West; thence West 2 miles to the Southwest corner of Section 13, Township 13-South, Range 66-West; thence North 2 miles to the Southwest corner of Section 1, Township 13-South, Range 66-West; thence West approximately 3.7 miles to the East boundary of the Air Force Academy site; thence following the East boundary line of the Air Force Academy site approximately 7.2 miles in a Northwesterly direction to the North boundary line of the Air Force Academy site on South line of Section 36, Township 11-South, Range 67-West; thence West approximately 3.7 miles to the Northwest corner of the $E\frac{1}{2}E\frac{1}{2}$ of Section 5, Township 12-South, Range 67-West; thence South 1 mile on the quarter section line to the South line of Section 5, said Township and Range; thence East one-fourth mile to the Southeast corner of Section 5, Township 12-South, Range 67-West; thence South 2 miles to the Southwest corner of Section 16, Township 12-South, Range 67-West; thence East one-half mile on the section line to the Northeast corner of the Northwest quarter of Section 21, Township 12-South, Range 67-West; thence South one-half mile to the Southeast corner of the Northwest quarter of Section 21, Township 12-South, Range 67-West; thence West one-half mile to the Northwest corner of the Southwest quarter of Section 21, Township 12-South, Range 67-West; thence South one-half mile to the Southwest corner of the Southwest quarter

of Township 17-South, Ranges 52, 53, 54, 55, 56, 57, and 58 West to the Southwest corner of Section 35, Township 17-South, Range 58-West; thence North $17\frac{1}{2}$ miles to the Southwest corner of the North half of Section 2, Township 15-South, Range 58-West; thence West 22 miles to the Southwest corner of the North half of Section 6, Township 15-South, Range 61-West; thence South $17\frac{1}{2}$ miles to the Southeast corner of Section 36, Township 17-South, Range 62-West; thence West 7 miles to the Northeast corner of Section 2, Township 18-South, Range 63-West; thence South 5 miles to the Southeast corner of Section 26, Township 18-South, Range 63-West; thence West 9 miles to the Northwest corner of Section 33, Township 18-South, Range 64-West; thence South $\frac{1}{2}$ mile to the Southeast corner of the $N\frac{1}{2}$ of Section 32, Township 18-South, Range 64-West; thence West 4 miles to the Southwest corner of the $N\frac{1}{2}$ of Section 35, Township 18-South, Range 65-West; thence North $5\frac{1}{2}$ miles to the Northwest corner of Section 2, Township 18-South, Range 65-West; thence West 4 miles to the Southwest corner of Section 31, Township 17-South, Range 65-West; thence North 6 miles to the Northwest corner of Section 6, Township 17-South, Range 65-West; thence East 6 miles to the Northwest corner of Section 6, Township 17-South, Range 64-West; thence North 10 miles to the Northwest corner of Section 18, Township 15-South, Range 64-West; thence West 4 miles to the Southwest corner of Section 9, Township 15-South, Range 65-West; thence North 7 miles to the Southwest corner of Section 4, Township 14-South, Range 65-West; thence West 1 mile on the section line to the Southwest corner of Section 5, Township 14-South, Range 65-West; thence North 4 miles to the Southwest corner of Section 17, Township 13-South, Range 65-West; thence West 2 miles to the Southwest corner of Section 13, Township 13-South, Range 66-West; thence North 2 miles to the Southwest corner of Section 1, Township 13-South, Range 66-West; thence West approximately 3.7 miles to the East boundary of the Air Force Academy site; thence following the East boundary line of the Air Force Academy site approximately 7.2 miles in a Northwesterly direction to the North boundary line of the Air Force Academy site on South line of Section 36, Township 11-South, Range 67-West; thence West approximately 3.7 miles to the Northwest corner of the $E\frac{1}{2}E\frac{1}{2}$ of Section 5, Township 12-South, Range 67-West; thence South 1 mile on the quarter section line to the South line of Section 5, said Township and Range; thence East one-fourth mile to the Southeast corner of Section 5, Township 12-South, Range 67-West; thence South 2 miles to the Southwest corner of Section 16, Township 12-South, Range 67-West; thence East one-half mile on the section line to the Northeast corner of the Northwest quarter of Section 21, Township 12-South, Range 67-West; thence South one-half mile to the Southeast corner of the Northwest quarter of Section 21, Township 12-South, Range 67-West; thence West one-half mile to the Northwest corner of the Southwest quarter of Section 21, Township 12-South, Range 67-West; thence South one-half mile to the Southwest corner of the Southwest quarter

of Section 21, Township 12-South, Range 67-West; thence West 2 miles on the section line to the Southwest corner of Section 19, Township 12-South, Range 67-West; thence North 8 miles to the Northwest corner of Section 18, Township 11-South, Range 67-West; thence East 2 miles on the section line to the Northeast corner of Section 17, Township 11-South, Range 67-West; thence South one-fourth mile to the Southwest corner of the North half of the North half of Section 16, Township 11-South, Range 67-West; thence East one and one-half miles to the Southeast corner of the North half of the Northwest quarter of Section 15, Township 11-South, Range 67-West; thence North two and one-fourth miles to the Northwest corner of the Northeast quarter of Section 3, Township 11-South, Range 67-West; thence East $1\frac{1}{2}$ miles to the Southwest corner of Section 36, Township 10-South, Range 67-West; thence North $1\frac{1}{2}$ miles to the Northwest corner of the Southwest quarter of Section 25, Township 10-South, Range 67-West; thence approximately 4.3 miles in a Northeasterly direction to the Southwest corner of Section 15, Township 10-South, Range 66-West; thence approximately 3.5 miles in a Northeasterly direction to the Northeast corner of the Southeast quarter of Section 34, Township 9-South, Range 66-West; thence West 1 mile to the Northwest corner of the Southwest quarter of Section 34, Township 9-South, Range 66-West; thence North 1 mile to the Northwest corner of the Southwest quarter of Section 27, Township 9-South, Range 66-West; thence East 1 mile to the Northeast corner of the Southeast quarter of Section 27, Township 9-South, Range 66-West; thence approximately 7.7 miles in a Northeasterly direction to the point of beginning; located in Arapahoe, Elbert, El Paso, Washington, Lincoln, Douglas, and Pueblo Counties, Colorado.

That Applicant shall continue operation of its electrical system and the supplying of electric service in the above designated area in accordance with its schedule of rates, rules and regulations now on file with this Commission or as the same may hereafter be amended or changed, according to the law or the rules of this Commission.

That Applicant shall continue to maintain its books and accounts in accordance with the Uniform System of Accounts as prescribed by the Commission, and shall continue to keep its practices in accordance with the rules regulating the service of electric utilities as prescribed by this Commission now in effect or as they may hereafter be amended.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Samuel C. Horton
James H. Harkness
Commissioners.

Dated at Denver, Colorado,
this 14th day of December, 1962.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

TOWN OF RANGELY, COLORADO,)
Complainant,)
vs.)
RANGELY GAS COMPANY,)
Rangely, Colorado,)
Defendant.)
-----)

CASE NO. 5216

December 17, 1962

S T A T E M E N T

By the Commission:

The above-entitled case was instituted by the Commission as a result of a complaint received from the Town of Rangely by its Mayor, William H. Elam. The matter was set for hearing by the Commission, and then vacated at the request of the Attorney for Defendant.

The Commission is now advised by the Attorney for the Town that the electors have voted a bond issue with which to purchase Rangely Gas Company and, in view thereof, the Town now requests that this complaint be dismissed.

F I N D I N G S

THE COMMISSION FINDS:

That Case No. 5216 should be dismissed.

O R D E R

THE COMMISSION ORDERS:

That Case No. 5216 be, and it hereby is, dismissed.
That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Hinton
James H. Harkins
Commissioners.

Dated at Denver, Colorado,
this 17th day of December, 1962.
ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LARRY J. CURTIS, DOING BUSINESS AS)
"MILE HIGH RUBBISH REMOVAL," 2709)
SOUTH ADAMS, DENVER, COLORADO, FOR)
A CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)
- - - - -

APPLICATION NO. 19491-PP

- - - - -
December 18, 1962
- - - - -

Appearances: Larry J. Curtis, Denver,
Colorado, pro se;
Bennett S. Aisenberg, Esq.,
Denver, Colorado, for Best
Way Disposal and Sam's Ash
& Trash Hauling Service.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the instant application, the applicant seeks authority to engage in the transportation of ashes, trash, and other waste materials, from Thraemoor Village Apartments, 2500 South Sheridan, and Yale Medical Center, 5101 East Yale, to places of disposal in Denver, Adams, Jefferson, and Arapahoe Counties, Colorado.

The application was set for hearing on December 10, 1962, at ten o'clock A. M., at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. The same was then and there called up for hearing by an Examiner duly designated and to whom the hearing was assigned by the Commission. Thereafter said Examiner transmitted to the Commission the record and files of said proceeding together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and files and the written statement of the Examiner states and finds:

That at the commencement of the hearing, applicant moved that the instant application be continued in order that he might obtain counsel.

The Commission is of the opinion and finds that the matter should be continued to be re-set at some future date convenient to the Commission, with notice to all interested parties.

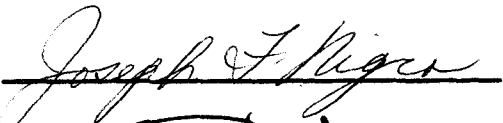


O R D E R

THE COMMISSION ORDERS:

That the instant application be, and the same hereby is, continued, to be re-set at some future date convenient to the Commission, with due notice to all interested parties.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 18th day of December, 1962.

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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
WALTER A. SHORE, 3327 F 5/8 ROAD,)
CLIFTON, COLORADO.) PERMIT NO. M-12070
)
)
-----)

December 20, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Walter A. Shore,
Clifton, Colorado
requesting that Permit No. M-12070 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12070, heretofore issued to Walter A. Shore,
Clifton, Colorado be,
and the same is hereby, declared cancelled effective December 7, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,
this 20th day of December, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
D. W. HARRIS AND SONS AUTO WRECKING)
COMPANY (CORPORATION), 601 WEST)
CUCHARRAS STREET, COLORADO SPRINGS,)
COLORADO.)
-----)

PERMIT NO. M-6615

December 20, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from D. W. Harris and Sons
Auto Wrecking Company (Corporation), Colorado Springs, Colorado
requesting that Permit No. M-6615 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6615, heretofore issued to D. W. Harris and Sons Auto
Wrecking Company (Corporation), Colorado Springs, Colorado be,
and the same is hereby, declared cancelled effective July 1, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Horton
Commissioners

Dated at Denver, Colorado,
this 20th day of December, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

B. H. RAY AND L. F. RAY, DOING BUS-)
INESS AS, "RAY BROTHERS PRODUCE",)
1218 WEST MAIN STREET, CLARKSVILLE,)
ARKANSAS.)
-----)

PERMIT NO. M-12585

December 20, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from B. H. Ray and L. F. Ray,
doing business as, "Ray Brothers Produce", Clarksville, Arkansas
requesting that Permit No. M-12585 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12585, heretofore issued to B. H. Ray and L. F. Ray,
doing business as, "Ray Brothers Produce", Clarksville, Arkansas be,
and the same is hereby, declared cancelled effective December 6, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Holton
Commissioners

Dated at Denver, Colorado,
this 20th day of December, 19 62.

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 59812)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
CLARENCE J. KRIEGER AND HARRIETTE)
E. KRIEGER, DOING BUSINESS AS,)
"KRIEGER CONSTRUCTION COMPANY",)
835 FENTON STREET, DENVER 15,)
COLORADO.)

PERMIT NO. B-5954

December 20, 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-5954 be suspended
for six months from December 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 Clarence J. Krieger & Harriette E. Krieger, doing business
as, "Krieger Construction Company", Denver 15, Colorado
be, and are hereby, authorized to suspend their operations under Permit
No. B-5954 until June 10, 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. Gordon
Wm. E. Zwickler
Commissioners

Dated at Denver, Colorado,
this 20th day of December, 1962.

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 59813)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
B. E. TROTT, LAFAYETTE, COLO-)
RADO.)
-----)

PERMIT NO. B-3044

December 20, 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-3044 be suspended
for six months from December 11, 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 B. E. Trott, Lafayette, Colorado

be, and is hereby, authorized to suspend his operations under Permit
No. B-3044 until June 11, 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. Negro
Ralph C. Trotter
Henry E. Zupke
Commissioners

Dated at Denver, Colorado,
this 20th day of December, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
THEODORE THOENNES, IDAHO SPRINGS,)
COLORADO.)
)
)
-----)

PERMIT NO. M-5049

December 27, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Theodore Thoennes,
Idaho Springs, Colorado
requesting that Permit No. M-5049 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-5049, heretofore issued to Theodore Thoennes,
Idaho Springs, Colorado be,
and the same is hereby, declared cancelled effective December 8, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Holton
Commissioners

Dated at Denver, Colorado,
this 27th day of December, 19 62.

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 59815)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
JESSE MORA, 4312 UMATILLA STREET)
DENVER 11, COLORADO.)

PERMIT NO. B-3236

December 27, 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-3236 be suspended
for six months from December 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 Jesse Mora, Denver 11, Colorado

be, and is hereby, authorized to suspend his operations under Permit
No. B-3236 until June 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. Negro
Joseph C. Horton
Henry E. Zullinger
Commissioners

Dated at Denver, Colorado,
this 27th day of December, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)

MERLE MONTAGUE, 1318 SOUTH)
COLLEGE, FORT COLLINS, COLORADO.)

PERMIT NO. B-5495

December 27, 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-5495 be further suspended for one year from December 23, 1962.

F I N D I N G STHE COMMISSION FINDS:

That the request should be granted.

O R D E RTHE COMMISSION ORDERS:

That Merle Montague, Ft. Collins, Colorado

be, and is hereby, authorized to further suspend his operations under Permit No. B-5495 until December 23, 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. Negro
Robert C. [unclear]
Henry E. Zank
Commissioners

Dated at Denver, Colorado,
this 27th day of December, 1962.

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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
TIMBERLINE TUBE, INCORPORATED, P. O.)
BOX 558, FORT COLLINS, COLORADO.)
-----)

PERMIT NO. M-2429

December 27, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Timberline Tube, Inc.,
Fort Collins, Colorado
requesting that Permit No. M-2429 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2429, heretofore issued to Timberline Tube, Inc.,
Fort Collins, Colorado be,
and the same is hereby, declared cancelled effective December 30, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 27th day of December, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
FRANK CADE, DOING BUSINESS AS, "CADE'S
MARKET", P. O. BOX 207, GYPSUM, COLO-)
RADO.)
-----)

PERMIT NO. M-12424

December 27, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Frank Cade, doing
business as, "Cade's Market", Gypsum, Colorado
requesting that Permit No. M-12424 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12424, heretofore issued to Frank Cade, doing business
as, "Cade's Market", Gypsum, Colorado be,
and the same is hereby, declared cancelled effective July 31, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 27th day of December, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
L. J. FRERKING, DOING BUSINESS AS
"T & F HOT SHOT SERVICE," BOX 358,
AZTEC, NEW MEXICO, FOR AUTHORITY
TO TRANSFER INTERSTATE OPERATING
RIGHTS TO MONARCH CONSTRUCTION COR-
PORATION, BOX 1141, FARMINGTON,
NEW MEXICO.

PUC NO. 4915-I-Transfer

December 18, 1962

S T A T E M E N T

By the Commission:

L. J. Frerking, doing business as "T & F Hot Shot service,"
Aztec, New Mexico, owner of PUC No. 4915-I, herein seeks authority
to transfer said operating rights to Monarch Construction Corporation,
Farmington, New Mexico, said PUC No. 4915-I being the right to operate
as a common carrier by motor vehicle for hire, for the transportation of:

freight, between all points in Colorado and
the Colorado State Boundary Lines, where all
highways cross the same, in interstate com-
merce, only, subject to the provisions of the
Federal Motor Carrier Act of 1935, as amended.

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 L. J. Frerking, doing business as "T & F Hot Shot Service,"
Aztec, New Mexico, be, and he hereby is, authorized to transfer all his
right, title and interest in and to PUC No. 4915-I -- with authority

as set forth in the Statement preceding, which is made a part hereof by reference -- to Monarch Construction Corporation, Farmington, 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. Nigro
Frank C. Hinton
James H. Hinton
Commissioners.

Dated at Denver, Colorado,
this 18th day of December, 1962.

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