(Decision No. 64015)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WILLIAM C. GOTTE, CANON CITY, COLO-)
RADO, FOR A CLASS "B" PERMIT TO) APPLICATION NO. 20740-PP
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

November 9,1964

Appearances: Peter J. Crouse, Esq., Denver, Colorado, for Applicant.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of pickup and delivery of L.C.L. rail freight moving on rail billing, in interstate and intrastate commerce, from or to the Atchison, Topeka & Santa Fe Railway Company Station at Canon City, Colorado, on the one hand, and, on the other hand, points within the corporate limits of Canon City, Colorado, south Canon City, Colorado, and east Canon City, Colorado, and all points which are designated from time to time in rail tariffs of said Atchison, Topeka & Santa Fe Railway Company on file with this Commission as being within the limits for free pick-up and delivery service at said company's railway station at Canon City, Colorado.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At 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 conclusions.

Applicant herein appeared at the hearing and testified he is Station Agent at Canon City, and as such agent, has entered into a

transportation agreement with the Atchison, Topeka and Santa Fe Railway Company to transport l.c.l. shipments for said railroad in a pick-up and delivery service; that all said shipments will be made upon a railroad bill of lading; that he is the owner of a 1960 Ford one-half-ton pick-up.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for Applicant's proposed transportation service; that Applicant will have sufficient equipment and experience to properly carry on the proposed operation; that Applicant's financial standing is established to the satisfaction of the Commission; that it does not appear that Applicant's proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; 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 William C. Gotte, Canon City, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, in interstate and intrastate commerce, for the transportation of less-than-carload freight, moving on railroad bills of lading, in pick-up and delivery service within the Canon City delivery area, for the Atchison, Topeka and Santa Fe Railway Company, only; and this ORDER shall be deemed to be, and be, a PERMIT therefor.

That interstate operations under authority herein granted shall be subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

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

This Order is the permit herein provided for, but it shall not become effective until Applicant has filed the necessary and required insurance, and has secured authority sheets.

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 9th day of November, 1964.

et.

(Decision No. 64016)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF HERBERT C. EDWARDS, DOING BUSINESS AS "EDWARDS & SON DELIVERY SERVICE," 104 BROADMOOR ROAD, COLORADO SPRINGS, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY, AUTHORIZING EXTENSION OF OPERATIONS UNDER PUC NO. 1970.) APPLICATION NO. 20745-Extension

November 9, 1964

Appearances: Gerald G. Tolley, Esq., Colorado Springs, Colorado, for Applicant.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Heretofore, Herbert C. Edwards, doing business as "Edwards & Son Delivery Service," Colorado Springs, Colorado, was authorized to operate as a common carrier by motor vehicle for hire (PUC No. 1970), for the transportation of:

> drugs, drug supplies and surgical supplies ordinarily sold by retail druggists, only, from drug stores in Colorado Springs, to Broadmoor, Manitou Springs, Ivywild, Cascade, and other points and places within a radius of 6 miles of Colorado Springs, Post Office. Extended to delivery of groceries from the retail grocery stores in Colorado Springs, Colorado, to their customers in Broadmoor, Manitou Springs, Ivywild, Cascade and other points and places within a radius of 6 miles of the Colorado Springs Post Office. Transportation of drugs, drug supplies and surgical supplies ordinarily sold by retail druggists, only, from drug stores in Colorado Springs, Colorado; and groceries from retail grocery stores in Colorado Springs, Colorado, only, between all points in the City of Colorado Springs, Colorado; drugs, drug supplies and surgical supplies sold by retail stores, only, between points within a radius of twenty miles of Colorado Springs, Colorado, limited to packages of fifty pounds or less.

By the above-styled application, said certificate-holder seeks a certificate of public convenience and necessity, authorizing extension of operations under PUC No. 1970, to include the right to

transport alcoholic beverages, on call and demand, within the area extending in a radius of twenty miles from the center of Colorado Springs, Colorado, that being from the intersection of Tejon Street and Pikes Peak Avenue, in Colorado Springs, Colorado.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At 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 conclusions.

At the hearing, Applicant herein appeared and testified he has been in the business of delivering drugs, drug supplies, surgical supplies and liquor in the Colorado Springs area; that the delivery of alcoholic goods consists of about forty per cent of the volume of his business; that it was his belief that he had authority to make deliveries of liquor.

Lucille Edwards appeared and testified she is the bookkeeper for Applicant herein; that Applicant is presently delivering liquor in the Colorado Springs area, and has been for some time; that during this time no complaints have been made that the carrier was exceeding his authority.

Frank Onufrock testified he is owner of Alley Drug Company; that he has been using the services of Applicant for delivery of liquor from this drug store to his customers; that said service has been satisfactory; that the continuation of this service is necessary for his business.

Murray Jack Gee,of Colorado Springs Drug Store, appeared and testified he is using the services of Applicant for delivery of liquor; that said service is good and its continuation is needed.

The Commission, having considered the record and files and the written statementof the Examiner herein, states and finds that no one protests the granting of the instant application; that Applicant will have sufficient equipment and experience with which to properly carry on said proposed extended operation; that Applicant's financial standing is established to the satisfaction of the Commission; that public convenience and necessity require Applicant's proposed extended motor vehicle common carrier transportation service, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Herbert C. Edwards, doing business as "Edwards & Son Delivery Service," Colorado Springs, Colorado, be, and hereby is, authorized to extend operations under PUC No. 1970, to include the right to transport alcoholic beverages, on call and demand, between points in the City of Colorado Springs, Colorado, and between points in an area extending twenty miles from the intersection of Tejon Street and Pikes Peak Avenue, in Colorado Springs, Colorado; and this ORDER shall be deemed to be, and be, a CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY therefor.

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

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 9th day of November, 1964.

et.

(Decision No. 64017)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF JOHN MC DONOUGH AND WINIFRED MC DONOUGH, 832 HARRISON AVENUE, CANON CITY, COLORADO, FOR AUTHORITY TO TRANSFER A PORTION OF PERMIT NO. B-5337 TO F. NEAL MC GEE AND WILMA M. MC GEE, 252 GRIFFIN AVENUE, CANON CITY, COLORADO.	APPLICATION NO. 20747-PP-Transfer

November 9, 1964

Appearances: John McDonough, Canon City, Colorado, for Transferors;
F. Neal McGee, Canon City, Colorado, for Transferees;
Leslie R. Kehl, Esq., Denver, Colorado, for copy of Order.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Heretofore, John McDonough and Winifred McDonough, Canon City, Colorado, were granted authority to operate as a Class "B" private carrier by motor vehicle for hire (Permit No. B-5337), authorizing transportation of:

> Issues of The Denver Post, only, from Colorado Springs, Colorado, to all points in Fremont County, Colorado. Extended to include the right to transport ice cream from Borden's Plant at Colorado Springs, to their customers in Florence and Canon City, Colorado; drugs and drug supplies, from Davis Brothers of Colorado Springs, Colorado, to their customers at Florence and Canon City, Colorado, limited to the use of one one-half-ton truck, and further limited to the following customers and their successors: Florence Drug Store, Florence Pharmacy and the Florence Hospital, Florence, Colorado; the Colorado State Penitentiary, Jewett Drug Store, City Drug Store, Ream's Palace Drugs, Elms Drug Store, the St. Thomas More Hospital, and the Colorado Hospital, all of Canon City, Colorado; the Borden Company and Davis Brothers of Colorado Springs, Colorado; without the right to add to the number of customers served without first having obtained permission from this Commission so to do.

By the above-styled application, said permit-holders seek authority to transfer a portion of Permit B-5337 to F. Neal McGee and Wilma M. McGee, Canon City, Colorado.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At 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 conclusions.

At the hearing, John McDonough appeared and testified in support of the application, stating he and his wife had entered into an agreement to transfer that portion of said permit which read as follows:

> "transportation of ice cream from Borden's Plant at Colorado Springs, to their customers in Florence and Canon City, Colorado; drugs and drug supplies, from Davis Brothers of Colorado Springs, Colorado, to their customers at Florence and Canon City, Colorado, limited to the use of one one-half ton truck, and further limited to the following customers and their successors: Florence Drug Store, Florence Pharmacy and the Florence Hospital, Florence, Colorado; the Colorado State Penitentiary, Jewett Drug Store, City Drug Store, Ream's Palace Drugs, Elms Drug Store, the St. Thomas More Hospital, and the Colorado Hospital, all of Canon City, Colorado; the Borden Company and Davis Brothers of Colorado Springs, Colorado; without the right to add to the number of customers served without first having obtained permission from this Commission so to do;"

and that that part of said Permit which reads as follows should be cancelled:

> "transportation of issues of The Denver Post, only, from Colorado Springs, Colorado, to all points in Fremont County, Colorado;"

and that there are no outstanding indebtedness against said Permit.

F. Neal McGee appeared and testified that he and his wife, Wilma McGee, are the Transferees herein; that they are the owners of a 1962 ½-ton Chevrolet panel truck; that their net worth is $15,000;

that they will obey the laws, rules and regulations of the Commission; and that he agrees to the cancellation of the authority as above described.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that Transferees will have sufficient equipment and experience to properly carry on the operation; that Transferee's financial standing is established to the satisfaction of the Commission; 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 John McDonough and Winifred McDonough, Canon City, Colorado, be, and they hereby are, authorized to transfer to F. Neal McGee and Wilma M. McGee, Canon City, Colorado, that portion of Permit No. B-5337 as follows:

> "transportation of ice cream from Borden's Plant at Colorado Springs, to their customers in Florence, and Canon City, Colorado; drugs and drug supplies, from Davis Brothers of Colorado Springs, Colorado, to their customers at Florence and Canon City, Colorado, limited to the use of one one-half-ton truck, and further limited to the following customers and their successors: Florence Drug Store, Florence Pharmacy and the Florence Hospital, Florence, Colorado; the Colorado State Penitentiary, Jewett Drug Store, City Drug Store, Ream's Palace Drugs, Elms Drug Store, the St. Thomas More Hospital, and the Colorado Hospital, all of Canon City, Colorado; the Borden Com pany and Davis Brothers of Colorado Springs, Colorado; without the right to add to the number of customers served without first having obtained permission from this Commission so to do;"

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

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

That the remaining portion of Permit No. B-5337 be, and the same hereby is, cancelled.

That transfer of operating rights herein authorized is subject to encumbrances, if any, against said permit approved by this Commission.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 9th day of November, 1964.

et.

(Decision No. 64018)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF RUTH SCHOENTHALER, ADMINISTRATRIX OF THE ESTATE OF WILLIAM SCHOENTHALER, DECEASED, 1358 INDEPENDENT AVENUE, GRAND JUNCTION, COLORADO, FOR AUTHORITY TO TRANSFER PUC 1061 TO WESTERN TRANSFER, LTD., 1931 EAST MAIN, GRAND JUNCTION, COLORADO.	APPLICATION NO. 20791-Transfer
IN THE MATTER OF THE APPLICATION OF RUTH SCHOENTHALER, ADMINISTRATRIX OF THE ESTATE OF WILLIAM SCHOENTHALER, DECEASED, 1358 INDEPENDENT AVENUE, GRAND JUNCTION, COLORADO, FOR AUTHORITY TO TRANSFER PERMIT B-2726 TO WESTERN TRANSFER, LTD., 1931 EAST MAIN, GRAND JUNCTION, COLORADO.	APPLICATION NO. 20792-PP-Transfer
IN THE MATTER OF THE APPLICATION OF RUTH SCHOENTHALER, ADMINISTRATRIX OF THE ESTATE OF WILLIAM SCHOENTHALER, DECEASED, 1358 INDEPENDENT AVENUE, GRAND JUNCTION, COLORADO, FOR AUTHORITY TO TRANSFER PERMIT B-3108 TO WESTERN TRANSFER, LTD., 1931 EAST MAIN, GRAND JUNCTION, COLORADO.	APPLICATION NO. 20793-PP-Transfer

November 9, 1964

Appearances: Charles Holmes, Esq., Grand Junction, Colorado, for Transferor;
John P. Thompson, Esq., Denver, Colorado, for Transferee.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Heretofore, William Schoenthaler, Grand Junction, Colorado, was granted the following operating rights:

PUC No. 1061:
General cartage and transfer business in the Town of DeBeque, and for the transportation of farm products, including livestock, and farm supplies from and to farms within a twenty-mile radius of DeBeque and farms on

Roan Creek within 30 miles of DeBeque, to and from the Town of DeBeque and other loading points within said area, and to and from points in the above-described DeBeque area, from and to points outside thereof, all for customers residing within said area, provided, however, that no authority is granted authorizing transportation of freight from town to town along U. S. Highway No. 24.

PERMIT B-2726:
Transportation of livestock (including sheep) from point to point within a radius of 20 miles of Grand Junction, Colorado, and from and to points within said radius to and from all points in the State of Colorado, except no service shall be rendered in competition with the line-haul operation of G. W. Hawthorne. Extended to: Transportation of livestock from ranches within a twenty-five (25) mile radius of Naturita, Colorado, to a sales ring in Naturita, and from sales ring to points and places in said area.

PERMIT B-3108:
Transportation of livestock, farm produce, coal and lumber, into, out of, and between points within a radius of 25 miles of Grand Junction, Colorado. Extended to include a radius of 50 miles of Grand Junction, Colorado, for the transportation of livestock, hay and grain, including prepared feed, between points in said 50 mile radius, and to and from said radius to all points in the State of Colorado, excluding from said extension all territory in Delta and Montrose Counties, and also excluding from said area the area covered by Certificate of Public Convenience and Necessity No. 1061. Extended tc include transportation of milk, and cream, into, out of, and between points within a radius of fifty miles of Grand Junction, Colorado.

William Schoenthaler has now departed this life, and by the above-styled applications, Ruth Schoenthaler, Administratrix of the Estate of said William Schoenthaler, Grand Junction, Colorado, seeks authority to transfer PUC No. 1061, Permit No. B-2726, and Permit No. B-3108 to Western Transfer, Ltd., Grand Junction, Colorado.

Said applications were regularly set for hearing before the Commission, and were heard, on a consolidated record, by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matters were taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceedings, together with a written statement of his findings of fact and conclusions.

At the hearing, Ruth Schoenthaler, Widow of William Schoenthaler and Administratrix of his Estate, appeared and testified in support of the applications, stating she had been duly appointed Administratrix of said Estate, and identified a certified copy of Letters of Administration issued by the County Court, County of Mesa, State of Colorado, evidencing said appointment; she also testified that there is no indebtedness against said operations; that the County Court of Mesa County, Colorado, on October 7, 1964, by Order duly entered, approved and authorized transfers herein requested; that the consideration for said transfers is the sum of $50,000.

Charles Rider, Vice-President of Transferee also appeared and testified in support of the applications, stating Transferee has been granted Temporary Authority from this Commission to conduct operations under operating rights herein sought to be transferred; that if authority herein sought is granted, arrangements have been made to mortgage the operating rights to the United States Bank of Grand Junction and the Small Business Administration, an agency of the United States Government, said mortgage to be in the principal amount of $50,000; that a true and correct copy of said Chattel Mortgage and Note will Be filed with this Commission; that said corporation has ample and suitable equipment, sufficient net worth and operating experience with which to carry on said operations.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant applications; that Transferee will have sufficient equipment and experience to properly carry on the operations; that Transferee's financial standing is established to the satisfaction of the Commission; that the proposed transfers are 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 Ruth Schoenthaler, Administratrix of the Estate of William Schoenthaler, Deceased, Grand Junction, Colorado, be, and she hereby is, authorized to transfer all right, title, and interest in and to PUC No. 1061 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Western Transfer, Ltd., Grand Junction, Colorado, subject to encumbrances against said operating rights, if any, approved by this Commission.

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

That Ruth Schoenthaler, Administratrix of the Estate of William Schoenthaler, Deceased, Grand Junction, Colorado, be, and she hereby is, authorized to transfer all right, title, and interest in and to Permits Nos. B-2726 and B-3108 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Western Transfer, Ltd., Grand Junction, Colorado, subject to encumbrances against said operating rights, if any, approved by this Commission.

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

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

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

That mortgage of the authorities herein authorized to be transferred to United States Bank of Grand Junction and Small Business Administration, in the amount of $50,000, by Transferee herein be, and hereby is, authorized and approved.

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, 1964.

et.

Original

(Decision No. 64019)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE CINDERS, CLAY OR SHALE, (AGGREGATE) AND GRAIN AND/OR FEED, ANIMAL, OR POULTRY.	))))	CASE NO. 1585

- - - - - - - -
November 6, 1964
- - - - - - - -

STATEMENT & FINDINGS

BY THE COMMISSION:

Under the provisions of Rule 18, paragraph C-(1)-(A) of the "Rules of Practice and Procedure" of the Commission, the Colorado Motor Carriers' Association, Agent, filed, on October 7, 1964, revised pages to its Tariff No. 14, Colorado PUC No. 13* (*The Motor Truck Common Carriers Association, Agent, Series), scheduled to become effective November 7, 1964, naming new rates, rules and regulations applicable to the transportation of cinders and grain as set forth in "Appendix A", attached hereto and a part hereof.

Item No. 535, of the aforementioned tariff is published for the account of Raymond Pherson and Patricia M. Pherson, doing business as Pherson Trucking Company and Westway Motor Freight, Inc., provides a reduced rate of $2.25 per ton; minimum weight 40,000 lbs; for the transportation of cinders, clay or shale (aggregate), from Rocky Flats, Colorado to Greeley, Colorado. In support of the reduction, Mr. Pherson in a letter to the Commission dated September 22, 1964, states:

> "as Greeley is the trading area hub of a good portion of northeastern Colorado and has successfull firms in the concrete products business it is believed that city is entitled to be named specifically at a published rate. At the present time both Cowan Concrete Products Company of Greeley and our company are agreeable to the rate requested xxxxxx"

Based upon the mileage used by Mr. Pherson of 57.7 miles for the distance between the Idealite Company plant, located on the Rocky Flats northwest of Arvada, Colorado, and Greeley, Colorado, the revenue realized will be approximately 39 cents per mile for the round trip. ($45.00 ÷ 115.4

miles = 38.99¢ per mile)

In Item No. 1455, published for the account of Orville Dunlap and Harold Ross Dunlap, doing business as Orville Dunlap & Son, the rate on grain, etc between Golden and Grand Junction is being reduced from 61 cents per cwt to 59 cents per cwt, minimum weight 30,000 pounds.

Under the provisions of the current farm section distance mileage scale and the prescribed mileage of 260 through miles with 170 miles in #differential territory, the applicable rate on grain etc. between Golden and Grand Junction is 59 cents per 100 pounds. Minimum weight factor 10,000 pounds, as contrasted with a 30,000 pound weight factor under the proposal. The actual highway distance is 244 miles as shown by the 1963 Colorado State Department of Highways map. The revenue based on a one way distance produces approximately 36 cents per mile. (177.00 ÷ 488 = 36.2¢ per mile)

Under the provisions of Rule 18, paragraph C-(1)-(A), of the 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 schedules. Since the proposals appear to represent just, fair and reasonable rates and charges an order should be entered prescribing the said changes.

#A portion of the distance, 90 miles, between Glenwood Springs and Grand Junction is considered plains territory. Subtracting these miles from the total miles produces the differential miles.

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 rates, rules, regulations as set forth in Appendix "A", attached hereto, shall be the prescribed rates, rules, regulations and provisions of the Commission.

3. All motor vehicles common carriers who are affected by the changes prescribed herein shall publish or cause to be published tariffs reflecting the changes prescribed herein.

4. All private carriers by motor vehicle, to the extent they are affected by the changes involved herein, shall publish, or cause to be

published, rates, rules, regulations and provisions which shall not be less than those herein prescribed for motor vehicle common carriers.

5. On an after November 7, 1964, all affected motor vehicle common carriers shall cease and desist from demanding, charging and collecting rates and charges greater or less than herein prescribed.

6. On and after November 7, 1964, all private carriers by motor vehicle operating in competition with any motor vehicle common carrier, affected by this order, shall cease and desist from demanding, charging and collecting rates and charges which shall be less than those herein prescribed.

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

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

9. This order shall become effective forthwith.

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 6th day of November, 1964.

dh

APPENDIX "A"

Changes effective November 7, 1964:

Colorado Motor Carriers' Association, Agent
Motor Freight Tariff No. 14
Colorado P.U.C. No. 13

5TH REVISED PAGE NO. 48-A

SECTION NO. 1
Commodity Rates

Rates are in dollars and cents per ton of 2,000 pounds

ITEM NO.	COMMODITY Commodities in the same item may be shipped in straight or mixed truck loads.	FROM	TO		RATES
535	Cinders, Clay or Shale (Aggregate), in bulk, minimum weight 40,000 pounds. Minimum charge ③ $25.00 per trailer. (Applies only via Golden Transfer Company, Raymond Pherson and Patricia M. Pherson, d/b/a Pherson Trucking Company, Rio Grande Motor Way, Inc., and Westway Motor Freight, Inc.) ① Rate will not apply via Raymond Pherson and Patricia M. Pherson, d/b/a Pherson Trucking Company. ② Rate applies only via Raymond Pherson and Patricia M. Pherson d/b/a Pherson Trucking Company. ③ Minimum charge will not apply on shipments transported from the plant site to Boulder, Colorado, by Raymond Pherson and Patricia M. Pherson, d/b/a Pherson Trucking Company. ④ Rate applies via Raymond Pherson and Patricia M. Pherson, d/b/a Pherson Trucking Company and Westway Motor Freight, Inc., only.	Idealite Company Plant Site near Rocky Flats, Colo.	Boulder,	Colo.	① $1.25 ② $1.00
			Denver, Bellview, Englewood, Golden,	Colo. Colo. Colo. Colo.	$1.25
			Longmont,	Colo.	$1.30
			Littleton, Hygiene,	Colo. Colo.	$1.40
			Loveland,	Colo.	$1.50
			④ Greeley,	Colo.	④ $2.25
			All points in Colorado not named specifically above: 5¢ per ton per mile in plains territory; 6¢ per ton per mile in mountain territory.		

Method of computing distances to be used in assessing distance rates published in this item:

(1) Where mileages are shown in the current Colorado Department of Highways map via improved roads only, such mileages shall be used to determine the distance or portions of such distance via improved roads only.

(2) For distances from and to points not covered by the map referred to in paragraph (1) above, the actual mileage via the shortest practicable route shall be used, except that the map will be used for such portion of the distance as may be provided thereon or ascertainable therefrom.

(3) In applying the distance rates provided in this item, all mileage traveled on Colorado Highway 93 will be considered as plains territory.

Interterritorial Movements:

Apply the applicable rate in each territory for the distance traveled in each respective territory.

SECTION NO. 5
Commodity Rates

Rates are in cents per 100 pounds

ITEM NO.	COMMODITY Commodities in the same item may be shipped in straight or mixed truck loads.	FROM	TO	RATES
	Grain and/or Feed, animal or poultry. ① In bulk, minimum weight 40,000 pounds. ② In bags, minimum weight 30,000 pounds.	Denver, Colo.	Delta, Colo. Fruita, Colo. Grand Junction, Colo. Montrose, Colo. Olathe, Colo.	① 50 ② 61
	(Orville Dunlap & Son) Shipments may be stopped in transit, or the vehicle transporting such shipment may be respotted at destination or in transit to unload partially and the rate with such stop-off or respotting privileges shall be the rate applicable from point of origin to final destination, subject to the provisions of paragraphs "A" to "E" herein.	Golden, Colo.	Delta, Colo. Fruita, Colo. Montrose, Colo. Olathe, Colo. Grand Junction, Colo.	① 50 ② Ⓡ 59

A. Stops will be made only at points directly intermediate between
1455 the point of origin and final destination, or at final destination.

B. In addition to the rate applicable, a charge of $5.00 will be made for each delivery at destination or intermediate point (not including final delivery).

C. Freight must be from one shipper, on one bill of lading and move on one day.

D. Shippers must specify on the bill of lading the name of the consignee and the final destination of the shipment, also intermediate point or points at which truck is to be stopped for partial unloading, a description of the quantites to be unloaded and the names and addresses of the parties to whom such partial deliveries are to be made.

E. Stopping in transit or respotting for partial unloading will not be permitted on shipments consigned "C.O.D.", "To Order", "Order Notify", or "Order Case Of".

R denotes - reduction
/ denotes - addition

Original

(Decision No. 64020)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE CANCELLATION DISTANCE COMMODITY RATES, MINIMUM WEIGHT 10,000 POUNDS, APPLICABLE ON OIL FIELD MACHINERY, EQUIPMENT, MATERIAL AND SUPPLIES, ALSO HEAVY MACHINERY, HEAVY COMMODITIES, ETC.	)	Investigation and Suspension Docket No. 542

- - - - - - - - - -
November 5, 1964
- - - - - - - - - -

STATEMENT AND FINDINGS

BY THE COMMISSION:

On October 9, 1964, Colorado Motor Carriers' Association, Agent, filed 6th revised page 33 and 5th revised page 34 to its tariff No. 13, Colorado PUC No. 12* (*The Motor Truck Common Carriers' Association, Agent, series) cancelling distance commodity rates, subject to a minimum weight of 10,000 pounds, applicable on oil field machinery, equipment, materials and supplies, and also heavy machinery, heavy commodities, etc., such revised pages being published to become effective November 12, 1964.

Upon consideration of the said schedules and the protests of the American Association of Oilwell Drilling Contractors and Shippers Oil Field Traffic Association, and reply of the Colorado Motor Carriers' Association to said protests, the cancellation of the referenced distance commodity rates, may, if permitted to become effective, result in violations of the Public Utilities Law. It is the opinion of the Commission that said schedules should be suspended and an investigation instituted into and concerning the lawfulness of the rates and charges contained therein.

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. It shall enter upon a hearing concerning the lawfulness of the rates and charges resulting from the cancellation of distance commodity

rates, minimum weight 10,000 pounds, as referred to in the Statement and Findings herein.

3. The operation of said schedules be, and it is hereby, suspended, and that the use thereof be deferred to and including March 12, 1965, unless otherwise ordered by the Commission.

4. That the investigation in this proceeding shall not be confined to the matters and issues hereinbefore stated for instituting this investigation, but shall include all matters and issues with respect to the lawfulness of said schedules under the Public Utilities Law.

5. 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.

6. Seven days prior to the hearing date hereon respondent shall provide the Secretary of the Commission with copies of any and all exhibits which respondents intend to introduce in evidence in support of their case.

7. A copy of this order shall be filed with the schedules in the office of the Commission, and that copies hereof be served upon the carriers parties to said schedules and that said carriers be and they are hereby, made respondents to this proceeding. The necessary suspension supplement shall be issued, filed and posted to the schedules referred to herein.

8. This Investigation and Suspension Docket No. 542 be, and the same is hereby, set for hearing before the Commission on the 14th day of December, 1964, at 10:00 a.m., in the Hearing Room of the Commission, 532 State Services Building, 1525 Sherman Street, Denver, Colorado 80203.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado, this
5th day of November, 1964

(Decision No. 64021)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
HARVEY MUELLER, DOING BUSINESS AS,)
"MUELLER TRANSFER AND FEED", ROUTE 3,) PERMIT NO. M-8145
COLUMBUS, NEBRASKA.)
)

November 12, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Harvey Mueller, doing business as, "Mueller Transfer & Feed", Columbus, Nebraska requesting that Permit No. M-8145 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8145, heretofore issued to Harvey Mueller, doing business as, "Mueller Transfer & Feed", Columbus, Nebraska be, and the same is hereby, declared cancelled effective November 10, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard S. Bjelland
Ralph C. Hinton
Commissioners

Dated at Denver, Colorado,
this 12th day of November, 1964.

hc

(Decision No. 64022)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF FRED C. WILSON, 6928 WEST 74TH AVENUE, ARVADA, COLORADO.	PERMIT NO. B-6143

November 12, 1964

S T A T E M E N T

By the Commission:

On March 11, 1964, the Commission authorized Fred C. Wilson to further suspend operations under his Permit No. B-6143, until September 11, 1964.

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-6143, should be, and the same hereby is, reinstated as of September 11, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard S. Bjelland
Ralph G. Hardy
Commissioners

Dated at Denver, Colorado,
this 11th day of September, 1964.

hc

CANCELLATION--COMMON CARRIER

(Decision No. 64023)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF HARVEY MUELLER, DOING BUSINESS AS, "MUELLER TRANSFER & FEED", ROUTE 3, COLUMBUS, NEBRASKA.

PUC NO. 2253-I

November 12, 1964

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Harvey Mueller, doing business as, "Mueller Transfer & Feed", Columbus, Nebraska requesting that Certificate of Public Convenience and Necessity No. 2253-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. 2253-I heretofore issued to Harvey Mueller, doing business as, "Mueller Transfer & Feed", Columbus, Nebraska be, and the same is hereby, declared cancelled effective November 10, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Harold L. Bjelland

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,
this 12th day of November, 19 64.

hc

(Decision No. 64024)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
CARL E. HART, DOING BUSINESS AS,)
"C. E. HART TRUCKING", 817 - 24TH)
STREET, GREELEY, COLORADO.) PERMIT NO. M-8905
)
)

November 12, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Carl E. Hart, doing business as, "C. E. Hart Trucking", Greeley, Colorado requesting that Permit No. M-8905 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8905, heretofore issued to Carl E. Hart, doing business as, "C. E. Hart Trucking", Greeley, Colorado be, and the same is hereby, declared cancelled effective November 8, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 12th day of November, 19 64.

hc

CANCELLATION--COMMON CARRIER

(Decision No. 64025)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
CARL E. HART, DOING BUSINESS AS,)
"C. E. HART TRUCKING", 817 - 24TH) PUC NO. 4803-I
STREET, GREELEY, COLORADO.)
)
)

- - - - - - - - - - - - - - - - - -

- - - - - - - - - -
November 12, 1964
- - - - - - - - - -

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Carl E. Hart, doing business as, "C. E. Hart Trucking", Greeley, Colorado

requesting that Certificate of Public Convenience and Necessity No. 4803-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. 4803-I heretofore issued to Carl E. Hart, doing business as, "C. E. Hart Trucking", Greeley, Colorado

be, and the same is hereby, declared cancelled effective November 8, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 12th day of November, 19 64.

hc

SUSPENSION ORDER--COMMON CARRIER (Decision No. 64026)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
CLIFTON P. COOP, P. O. BOX 214,) PUC NO, 4899 & I
EADS, COLORADO.)

November 12, 1964

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. 4899 & I be further suspended for six months from September 21, 1964.

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 Clifton P. Coop, Eads, Colorado

be, and is hereby, authorized to further suspend operations under PUC No. 4899 & I until March 21, 1965.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 12th day of September, 19 64.

hc

SUSPENSION ORDER--COMMON CARRIER

(Decision No. 64027)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF J. M. BROOKS, DOING BUSINESS AS "J. M. BROOKS TRUCKING", ROUTE 3, BOWIE, TEXAS.

PUC NO. 6086-I

November 12, 1964

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. 6086-I be suspended for six months from October 19, 1964.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That J. M. Brooks, doing business as, "J. M. Brooks Trucking", Bowie, Texas be, and is hereby, authorized to suspend operations under PUC No. 6086-I until April 19, 1965.

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

Henry E. Zarlengo

Howard L. Bjelland

Ralph C. Norton

Dated at Denver, Colorado,
this 12th day of November, 1964.

hc

(Decision No. 64028)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
BEN E. GARCIA, 3717 SOUTH CHEROKEE STREET, ENGLEWOOD, COLORADO.) PERMIT NO. M-13662

November 12, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Ben E. Garcia, Englewood, Colorado requesting that Permit No. M-13662 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13662, heretofore issued to Ben E. Garcia, Englewood, Colorado be, and the same is hereby, declared cancelled effective October 3, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard S. Bjelland
Ralph G. Hardin
Commissioners

Dated at Denver, Colorado,
this 12th day of November, 19 64.

hc

(Decision No. 64029)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
BEN E. GARCIA, 3717 SOUTH CHEROKEE,)
ENGLEWOOD, COLORADO.) PERMIT NO. B-6232
)
)

November 12, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Ben E. Garcia, Englewood, Colorado requesting that Permit No. B-6232 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-6232, heretofore issued to Ben E. Garcia, Englewood, Colorado be, and the same is hereby, declared cancelled effective October 3, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard S. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,
this 12th day of November, 1964.

hc

SUSPENSION ORDER--PRIVATE CARRIER (Decision No 64030)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
TONY J. BELTRAMO, ROUTE 1 BOX)
175, CANON CITY, COLORADO.)
)
)
)

PERMIT NO. B-1344

- - - - - - - - - - - - - - - - - -

November 12, 1964

- - - - - - - - - - - -

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-1344 be further suspended for six months from November 7, 1964.

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 Tony J. Beltramo, Canon City, Colorado

be, and is hereby, authorized to further suspend his operations under Permit No. B-1344 until May 7, 1965.

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

Henry E. Zarlengo

Harold D. Dillard

Ruth C. Horton

Commissioners

Dated at Denver, Colorado,
this 12th day of November, 19 64.

hc

Original

(Decision No. 64031)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE INCREASED AND REDUCED RATES AND CHARGES APPLICABLE OVER THE LINES OF THE NORTH PARK TRANSPORTATION CO.

CASE NO. 1585

November 6, 1964

STATEMENT AND FINDINGS

BY THE COMMISSION:

On October 5, 1964 the North Park Transportation Company, by its President, Peter B. Kooi, filed with the Commission under the provisions of Rule 18, Paragraph C-(1)-(A) of the "Rules of Practice and Procedure", various revised pages to its Motor Freight Tariff No. 1-A, Colorado PUC No. 3 published to become effective November 9, 1964.

These changes are set forth in Appendix "A" attached hereto and are based upon the provisions as provided in Appendix "C" designated in the order portion of Decision No. 59282 dated September 14, 1962, subject to an increase of three (3) per cent in the distance scale of class rates provided therein.

In support of the various changes, Mr. Kooi, in a letter to the Commission dated October 14, 1964, states:

"Our costs have risen in several areas over the last year, particularly our labor costs. We are a non-union company and in years past our pay scale has been somewhat lower than the union rates. During the last year we have been threatened with a union election and, in the hope of not having to be organized by the Teamster Union, we have granted pay increases to make our scale of hourly wages more equal to the Union scale. This has resulted in an increase in our payroll of approximately ten per cent. Also, we have experienced increased equipment costs in spite of every effort to keep them as low as possible. These increases plus small cost increases in other areas, such as Federal Excise Tax on tractors, tire costs, dock equipment, etc., have resulted in our company operating at a loss for the first six months of 1964."

The operating ratio for this six months period is 100.05%. Revenues and expenses for the period ending June 30, 1964 were as follows:

REVENUE	Year to Date	
Ordinary freight	$ 54,074	
C & D freight	42,526	
Tanker revenues - gasoline	8,717	
Tanker revenue - P P G	9,381	
C.O.D. fees	393	
Rent income	170	
Pickup Service	16,233	
Other operating revenue	1,299	$132,792

EXPENSES	Year to Date	
Truck repairs	$ 10,990	
Wages - maintenance	5,920	
Tires and Tubes	3,169	$ 20,079
Wages-drivers	12,525	
Wages-delivery and pickup	32,251	
Diesel fuel	4,551	
Gasoline	4,173	
Oil	677	
Leased transportation	3,438	
Contracted pickup	405	
Other transportation expenses	58	
Claims	661	58,739
Repairs to buildings	128	
Other terminal expense	1,134	
Rent	2,550	3,812
Tariffs and schedules	270	
Advertising	244	514
Insurance - PL & PD	1,520	
Insurance - compensation	1,548	
Insurance - cargo	683	
Insurance - other	232	3,983
Wages - supervision	7,966	
Wages - office	8,538	
General office expense	1,363	
Travel	187	
Professional fees	1,553	
Communications	3,049	
Employees' welfare	674	
Utilities	1,602	24,932
Depreciation		10,898
Taxes		9,906
TOTAL COST OF OPERATIONS		132,863
PROFIT (LOSS) FROM OPERATIONS		(70)

An analysis of the class 100 rate bases for fifteen Colorado points served from Denver by this Carrier, (see Appendix A), shows the proposed changes resulting in an approximate increase of 6% in less-than-truckload rates and reductions of 6% and 20% in rates, subject to minimum weights of 5,000 and 10,000 pounds, respectively.

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. Since the changes appear to represent just, fair and reasonable rates and charges an order of the Commission should be entered.

O R D E R

THE COMMISSION ORDERS, That:

1. The Statement, Findings and Appendix "A" attached hereto be, and they are hereby, made a part hereof.

2. The rates, rules, regulations and provisions as set forth in appendix "A" shall be the prescribed rates, rules, regulations and provisions of the Commission.

3. All motor vehicle common carriers who are affected by the changes prescribed herein shall publish or cause to be published tariffs reflecting the changes prescribed herein.

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

5. On and after November 9, 1964, 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.

6. On and after November 9, 1964, all private carriers by motor vehicle operating in competition with any motor vehicle common carrier affected by this order shall cease and desist from demanding, charging, and collecting rates and charges which shall be less than those herein prescribed, provided that Class "B" private carriers shall be subject to the penalty rule of twenty (20) per cent.

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

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

9. This order shall become effective forthwith.

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
6th day of November, 1964.

dh

APPENDIX "A"

Changes effective November 9, 1964:

NORTH PARK TRANSPORTATION COMPANY
MOTOR FREIGHT TARIFF NO. 1-A
COLORADO PUC NO. 3

2nd Revised Page 17

Item No.	EXCEPTIONS TO LTL RATINGS OF THE CURRENT CLASSIFICATION
16	(A) Exception rating on Brooms, NOI, cancelled. Current Classification will apply.
20	(A) Exception rating on Carriers, second-hand, empty returned (used packages), cancelled. Current classification will apply.

3rd Revised Page 18

25	(A) Exception ratings on Emigrant Movables cancelled. Current Classification will apply.
30	(A) Exception ratings on Engines, internal combustion, NOI, cancelled. Current Classification will apply.

2nd Revised Page 19

35	(A) Exception ratings on Household Goods or Personal Effects cancelled. Current Classification will apply.

2nd Revised Page 20

Freight, all kinds, except those articles having volume or truckload ratings higher than Class 85 as published in the National Motor Freight Classification:

Minimum weight 20,000 pounds per vehicle used	37½
Minimum weight 25,000 pounds per vehicle used	32½
Minimum weight 35,000 pounds per vehicle used	27½

(R) Consignor to load; consignee to unload.

37 Trailers or trucks, single units, to have not less than 1,800 cubic feet capacity.

When the charges based on the higher rate and actual weight (but not less than the minimum weight specified for the lower rate) exceeds the charge based on the lower rate and the actual weight (but not less than the minimum weight specified for the lower rate), the latter charge will apply.

40 (A) Exception rating on Paint and Paint Material cancelled. Current Classification will apply.

Item No.	RULES AND REGULATIONS
(A) 140	MINIMUM CHARGE Except as otherwise provided in the tariff, the minimum charge for a single shipment, from one consignor to one consignee, on one bill of lading, to one point of delivery, will be $3.00. NOTE: Where combinations of rates are used, the mininum charge as provided herein shall apply to each factor of such combination of rates.

1st Revised Page 29

METHOD OF DETERMING DISTANCES

A. Where intrastate rates named in this tariff are based on mileages, distances will be determined as shown below, subject to Exceptions 1, 2 and 3 below.

(1) Where mileages are shown on the Rand McNally Colorado State Highway map, 1961 issue, such mileages shall be used to determine the distance or portions of such distance via the shortest practical highway route between origin and destination.

(C) (2) For distance from and to points not covered by the map referred to in subparagraph (1) of this rule, the actual mileage via the shortest practicable route shall be used, except that the map will be used for such portion of the distance as may be provided thereon
155 or ascertainable therefrom.

EXCEPTION 1: Where the shipper and/or the consignee request transportation of the shipment over a route longer than the shortest practical route, the mileage over the longer route will apply.

EXCEPTION 2: When shipments move under special permits required by and obtained from a municipal or state regulatory body or commission, which specifies therein the route to be traveled by the motor vehicle, the mileage to be used in determining the rate will be that via the route specified in the special permit.

EXCEPTION 3: Where, due to flood conditions, condition of bridges or ferries, it is impractical to operate the motor vehicle over highways forming the shortest distance between origin and destination, the most practical route over which the motor vehicle can be moved will be shown in the bill of lading and the distance via such route will be used to determine the rate. The bill of lading will also show the reason for the route specified therein.

3rd Revised Page 36 and Original Page 36-A

Item No. RULES AND REGULATIONS

METHOD OF DETERMINING CLASS RATES PROVIDED IN SECTION 1 OF THIS TARIFF

(1) Class Rates between specifically named points.

In connection with class rates between specifically named points, first refer to Page 49 and determine the rate base as shown at the intersection of the headline point and the sideline point. The application of the Columns A, B, and C rate bases is as shown in Note 1 below.

After determining the applicable rate base number, refer to the rate base numbers shown in numerical order on Pages 50-C through 53-Z herein and opposite the rate base number will be found the class rates applicable. Line A rates apply on all shipments, except shipments weighing 1,999 pounds or less. Line B rates apply only on shipments weighing less than 1,000 pounds. Line C rates apply only on shipments weighing 1,000 pounds or more, but not over 1,999 pounds.

(2) Intrastate Distance Class Rates.

(C) 194 In connection with Colorado intrastate distance class rates, first refer to Pages 50-A and 50-B and determine the rate base as shown opposite the applicable distance.

The Plains Territory scale of rate bases will apply between all points located within the territory described in Item No. 196 as "Plains Territory."

The Mountain Territory scale of rate bases will apply between all points located within the territory described in Item No. 196 as "Mountain Territory."

The Differential scale of rate bases will be used in computing the rate base applicable between points located in Plains Territory, on the one hand, and points located in Mountain Territory, on the other. For example, if the total distance from origin to destination is 95 miles, of which 80 miles are in Mountain Territory, determine first the rate base for 95 miles under the Plains Territory scale. Then determine the rate base for 80 miles under the Differential scale. Both of these rate bases will be used to determine the applicable rate. The applicable rate will be the total of the rates provided by the two rate bases. The application of the Columns A, B, and C rate bases is as shown in Note 1 below.

After determining the applicable rate base number, refer to the rate base numbers shown in numerical order on Pages 50-C through 53-Z herein and opposite the rate base number will be found the class rates applicable. Line A rates apply on all shipments, except shipments weighing 1,999 pounds or less. Line B rates apply only on shipments weighing less than 1,000 pounds. Line C rates apply on ly on shipments weighing 1,000 pounds or more but not over 1,999 pounds.

NOTE 1: Column A rate bases apply on shipments of less than 5,000 pounds and are subject to the LTL or AQ ratings of the governing classification. Column A rate bases also apply in the determination of rates in connection with truckload ratings in the governing classification or in connection with the exception ratings in Item No. 37 of this tariff.(continued)

NOTE 1: continued

Column B rate bases are subject to a minimum weight of 5,000 pounds and are subject to the LTL or AQ ratings of the governing classification.
Column C rate bases are subject to a minimum weight of 10,000 pounds and are subject to the LTL or AQ ratings in the governing classification.

3rd Revised Page 38

Item No. RULES AND REGULATIONS

ALTERNATE APPLICATION OF RATES ON SHIPMENTS WEIGHING 1,999 POUNDS OR LESS

Where the total charges on a shipment of less than 1,000 pounds would be lower if charges were based upon a weight of 1,000 pounds, with
the deficit in weight charged at the same rate as the lowest rated article in the shipment, such lower charges shall apply.
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Where the total charges on a shipment of 1,999 pounds or less, but 1,000 pounds or over, would be lower if the charges were based upon a weight of 2,000 pounds 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.

6th Revised Page 49

SECTION 1

CLASS RATE BASES
For application, see Item No. 194.
For Class Rates, see Pages 50-C through 53-Z

Index No.	BETWEEN AND	Distance in Miles	Denver, Colorado Columns A	B	C	Fort Collins, Colorado Columns A	B	C
			(A)	(A) (R)	(R)			
5	Berthoud Falls, Colo.	51	194	165	136	-	-	-
10	Berthoud Pass, Colo.	56	198	168	139			
15	Cowdrey, Colo.	153	276	235	193	(E)	(E)	(E)
25	Empire, Colo.	42	184	156	129	-	-	-
30	Fraser, Colo.	73	212	180	148	-	-	-
35	Granby, Colo.	88	227	193	159	-	-	-
40	Grand Lake, Colo.	104	244	207	171	-	-	-
45	Hot Sulphur Springs, Colo.	98	234	199	164	-	-	-
50	Kremmling, Colo.	115	250	213	175	-	-	-
55	Parshall, Colo.	103	244	207	171	-	-	-
60	# Rand, Colo.	122	257	218	180	-	-	-
70	Tabernash Colo.	77	219	186	153	-	-	-
75	#Urad Mine, Colo.	52	194	165	136	-	-	-
80	Walden, Colo.	144	272	231	190	-	-	-
90	Winter Park, Colo.	69	210	179	147	(E)	(E)	(E)

1st Revised Page 50-A

SECTION 1

(R) TABLE OF DISTANCE CLASS RATE BASES
(APPLICABLE ONLY ON COLORADO INTRASTATE TRAFFIC)
For application, see Item No. 194
For Class Rates, see Pages 50-C through 53-Z.

Distance in Miles (See Item No. 155)		Plains Territory Scale			Mountain Territ. Scale			Differential Scale		
		Column			Column			Column		
		A	B	C	A	B	C	A	B	C
5 miles and under		100	85	70	130	111	91	30	26	21
10 miles and over	5 miles	109	93	76	142	121	99	33	28	23
15 miles and over	10 miles	114	97	80	148	126	104	34	29	24
20 miles and over	15 miles	123	105	86	160	136	112	37	31	26
25 miles and over	20 miles	126	107	88	164	139	115	38	32	27
30 miles and over	25 miles	132	112	92	171	145	120	39	33	27
35 miles and over	30 miles	135	115	95	175	149	123	40	34	28
40 miles and over	35 miles	142	121	99	184	156	129	42	36	29
45 miles and over	40 miles	145	123	102	188	160	132	43	37	30
50 miles and over	45 miles	149	127	104	195	166	137	46	39	32
55 miles and over	50 miles	152	129	106	198	168	139	46	39	32
60 miles and over	55 miles	155	132	109	201	171	141	46	39	32
65 miles and over	60 miles	161	137	113	209	178	146	48	41	34
70 miles and over	65 miles	164	139	115	213	181	149	49	42	34
75 miles and over	70 miles	166	141	116	215	183	151	49	42	34
80 miles and over	75 miles	171	145	120	222	189	155	51	43	36
85 miles and over	80 miles	173	147	121	225	191	158	52	44	36
90 miles and over	85 miles	178	151	125	232	197	162	54	46	38
95 miles and over	90 miles	180	153	126	235	200	165	55	47	39
100 miles and over	95 miles	182	155	127	237	201	166	55	47	39
110 miles and over	100 miles	190	162	133	246	209	172	56	48	39
120 miles and over	110 miles	195	166	137	253	215	177	58	49	41
130 miles and over	120 miles	201	171	141	262	223	183	61	52	43
140 miles and over	130 miles	204	173	143	265	225	186	61	52	43
150 miles and over	140 miles	211	179	148	275	234	193	64	54	45
160 miles and over	150 miles	215	183	151	280	238	196	65	55	46
170 miles and over	160 miles	222	189	155	288	245	202	66	56	46
180 miles and over	170 miles	225	191	158	291	247	204	66	56	46
190 miles and over	180 miles	231	196	162	300	255	210	69	59	48

Original Page 50-B

SECTION 1

(R) TABLE OF DISTANCE CLASS RATE BASES
(APPLICABLE ONLY ON COLORADO INTRASTATE TRAFFIC)
For application, see Item No. 194
For Class Rates, see Pages 50-C through 53-Z

Distance in Miles (See Item No. 155)	Plains Territory Scale Column			Mountain Territ. Scale Column			Differential Scale Column		
	A	B	C	A	B	C	A	B	C
200 miles and over 190 miles	235	200	165	305	259	214	70	60	49
210 miles and over 200 miles	241	205	169	313	266	219	72	61	50
220 miles and over 210 miles	244	207	171	317	269	222	73	62	51
230 miles and over 220 miles	251	213	176	327	278	229	76	65	53
240 miles and over 230 miles	254	216	178	331	281	232	77	65	54
260 miles and over 240 miles	263	224	184	342	291	239	79	67	55
280 miles and over 260 miles	272	231	190	353	300	247	81	69	57
300 miles and over 280 miles	280	238	196	365	310	256	85	72	60
320 miles and over 300 miles	289	246	202	376	320	263	87	74	61
340 miles and over 320 miles	297	252	208	385	327	270	88	75	62
360 miles and over 340 miles	304	258	213	396	337	277	92	78	64
380 miles and over 360 miles	312	265	218	406	345	284	94	80	66
400 miles and over 380 miles	320	272	224	416	354	291	96	82	67
420 miles and over 400 miles	329	280	230	427	363	299	98	83	69
440 miles and over 420 miles	334	284	234	434	369	304	100	85	70
460 miles and over 440 miles	342	291	239	445	378	312	103	88	72
480 miles and over 460 miles	350	298	245	455	387	319	105	89	74
500 miles and over 480 miles	357	303	250	465	395	326	108	92	76
520 miles and over 500 miles	366	311	256	476	405	333	110	94	77
540 miles and over 520 miles	372	316	260	483	411	338	111	94	78
560 miles and over 540 miles	378	321	265	491	417	344	113	96	79
580 miles and over 560 miles	385	327	270	501	426	351	116	99	81
600 miles and over 580 miles	391	332	274	509	433	356	118	100	83
620 miles and over 600 miles	399	339	279	518	440	363	119	101	83
640 miles and over 620 miles	406	345	284	527	448	369	121	103	85
660 miles and over 640 miles	414	352	290	539	458	377	125	106	88
680 miles and over 660 miles	420	357	294	546	464	382	126	107	88
700 miles and over 680 miles	427	363	299	556	473	389	129	110	90

See Tariff for conversion tables of Class Rate Bases as published on Pages 50-C through and including 53-Z.

(A) denotes - - Increase
(R) denotes - - Reduction
(C) denotes - - Changes in wording which result in neither increase nor reduction in charges
# denotes - - addition
(E) denotes - - elimination

original

(Decision No. 64032)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF ISSUANCE OF TEMPORARY CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY UNDER CHAPTER 115, SESSION LAWS OF COLORADO, 1953, FOR EMERGENCY MOVEMENT OF SUGAR BEETS.

APPLICATION NO. 20838

November 6, 1964

STATEMENT AND FINDINGS OF FACT

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 sugar beets from the Hoyt Beet Dump to the Fort Morgan factory for processing, in Morgan County, Colorado.

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

The Commission states and finds that an emergency exists because of the shortage in certificated trucks for transportation of sugar beets, in Morgan County, Colorado, and that public convenience and necessity require that temporary certificates should issue for the operation of motor vehicles for transportation of said crop, as provided by Chapter 115, Article 9, Section 4, Session Laws of 1953, said certificates to be effective for a period of ninety (90) days, commencing November 9, 1964.

O R D E R

THE COMMISSION ORDERS:

That temporary certificates of public convenience and neces-

sity be, and are hereby, authorized to be issued for the operation of motor vehicles for the transportation of sugar beets, in Morgan County, Colorado, said certificates to be effective November 9, 1964, and to continue in force for a period of ninety (90) days thereafter.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 6th day of November, 1964.

mls

Original

(Decision No. 64033)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF DAVID B. ILES, JR., 364-1/2 ROSEVALE ROAD, GRAND JUNCTION, COLORADO, FOR AUTHORITY TO EXTEND OPERATIONS UNDER PERMIT NO. B-4372.

APPLICATION NO. 20763-PP-Extension

November 10, 1964

Appearances: David B. Iles, Jr., Grand Junction, Colorado, pro se;
Ernest Porter, Esq., Denver, Colorado, for Rio Grande Motor Way, Inc., Hugo L. Willis, and Fellin Brothers, Protestants;
Robert Schuler, Telluride, Colorado, for Telluride Transfer, Protestant;
Orville Dunlap, Montrose, Colorado, for Orville Dunlap & Son, Protestant.

STATEMEND AND FINDINGS

By the Commission:

David B. Iles, Jr., Grand Junction, Colorado, is the owner and operator of Permit No. B-4372, authorizing:

> transportation of coal from the Taylor Coal Mine, located approximately 36 miles south of Craig, Colorado, on Colorado Highway No. 13, to the railhead in Craig, Colorado, for the Taylor Coal Company; coal from the Yampa Valley Coal Mine, located approximately 10 miles south of Craig, Colorado, on Colorado Highway No. 13, to Craig, Colorado, for the Yampa Valley Coal Company, only; vanadium and uranium ore from mines in Rio Blanco County to Rifle, Colorado; sand, gravel, and other road surfacing materials, from pits and supply points in the State of Colorado, to road and building construction jobs located within a radius of 50 miles of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties; Uranium and vanadium ores between points within a radius of 300 miles of Meeker, Colorado;

and by the instant application seeks authority to extend operations under said Permit No. B-4372, to include the right to transport lead, zinc, copper, gold and silver ores, and bulk concentrates, from mines within a radius of ten miles of Silverton, Colorado, to railheads at Montrose, Colorado, or at Ridgway, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Montrose, Colorado, November 2, 1964, and at the conclusion of the evidence, the matter was taken under advisement.

David B. Iles, Jr., testified that he is the owner of Permit No. B-4372 and in the present proceedings seeks to extend authority under said authority to include the right to transport lead, zinc, copper, gold and silver ores, and bulk concentrates, from mines within a radius of ten miles of Silverton, Colorado, to railheads at Montrose, Colorado, or at Ridgway, Colorado. He has four endgate dump trucks which he would plan to use to render the service under the requested extension of the authority. If the authority is granted, he plans to render the service for a mining corporation designated as Two Bit, Inc. This corporation has certain properties in the Silverton area with mines thereon about to get under construction. He does not have a contract with said corporation.

Hugo L. Willis testified that he is the owner of PUC No. 1081 and that the application herein is in direct conflict with such authority. He has two trucks now operating, with two more idle. He is ready, willing and able to haul for Two Bit, Inc., and in fact has been hauling for such corporation for the past month. The ore hauling business is depressed at the present time. The granting of the requested authority would be detrimental to his operation as a common carrier.

Oliver Fellin testified that he is the owner of PUC No. 871 and that the application herein is in direct conflict with such common carrier authority. He now has six dump trucks, some of which are idle.

He has been approached by Two Bit, Inc., and is ready, willing and able to haul for such corporation. He also testified that the ore hauling business is depressed and that the effect of granting the requested authority would be detrimental to his common carrier operation and would effect his ability to render service under such common carrier authority.

Robert Schuler testified that he is Manager of Telluride Transfer, which owns PUC No. 60, and that the application herein is in direct conflict with such common carrier authority. He also had equipment available for the hauling of said ores and concentrates. He had been contacted by Two Bit, Inc., as to the hauling of said ores and concentrates. He also felt that the granting of the authority requested would detrimentally affect the operations of Tellurdie Transfer as a common carrier.

Ralph Knull testified that he is General Traffic Manager for Rio Grande Motor Way, Inc.; that said corporation is the owner of PUC No. 149, and that the application herein is in direct conflict with the authority contained in PUC No. 149. Motor Way presently transports ores and concentrates in the Silverton area. The ore hauling business in such area has decreased during the last year because of the diversion of a great deal of such hauling to Santa Fe. Motor Way has equipment which is immediately available to haul ores and concentrates for Two Bit, Inc. In his opinion the granting of the authority would have an injurious effect on Motor Way's ability to render service. To his knowledge, all of the common carriers now in the area have idle equpment available due to the said diversion of traffic to Santa Fe.

No representative of Two Bit, Inc., appeared to testify in the proceeding. It is clear from the evidence presented that the area in question is now being adequately served by the existing common carriers and that the granting of the proposed authority would impair the

efficient public service of said common carriers. Under such circumstances, the application herein must be denied.

O R D E R

THE COMMISSION ORDERS:

That Application No. 20763-PP-Extension be, and the same hereby is, denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 10th day of November, 1964.

mls

(Decision No. 64034)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF GUNNISON SIGHTSEEING & TAXI SERVICE, INC., 200 NORTH MAIN STREET, GUNNISON, COLORADO, FOR AUTHORITY TO LEASE PUC NO. 1797 TO STEVEN T. BIRD, DOING BUSINESS AS "GUNNISON SIGHTSEEING & TAXI SERVICE," BOX 238, GUNNISON, COLORADO.	APPLICATION NO. 20537-Lease

November 10, 1964

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing at the Court House, Montrose, Colorado, November 2, 1964, at 10:00 o'clock A.M. When said application was called for hearing, Applicants failed to appear either in person or by counsel at the time and place designated for said hearing.

The files in this matter show that the matter had previously been set for hearing on July 15, 1964. At that time also no parties appeared and the matter was continued and re-set for hearing by the Commission. A further examination of the file shows that no letters have been received from either the Lessor or Lessee in explanation as to their failure to appear at either of the said settings. The file further shows that this Commission, on June 24, 1964, issued Temporary Authority to Steven T. Bird to operate under PUC No. 1797 pending the hearing of the application and approval of the lease. This Temporary Authority specifically states it is subject to revocation upon notice. It was issued for a period of ninety days, which said period has expired, or until the date of the hearing on the application whichever event occurs first. It is obvious that the Temporary Authority has expired by its own terms. Under such circumstances, the application

herein should be dismissed.

F I N D I N G S

THE COMMISSION FINDS:

That the instant matter should be dismissed.

O R D E R

THE COMMISSION ORDERS:

That Application No. 20537-Lease be, and the same hereby is, dismissed.

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 November, 1964.

et.

Original

(Decision No. 64035)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JOEL SWANK, BOX 31, LAKE CITY, COLO-)
RADO, FOR AUTHORITY TO TRANSFER PUC)
NO. 2244 TO HOWARD W. UPHAM, DOING)
BUSINESS AS "SCENIC JEEP TOURS," SAN) APPLICATION NO. 20764-Transfer
JUAN RANCH, LAKE CITY, COLORADO.)

November 10, 1964

Appearances: Howard W. Upham, Lake City, Colorado, pro se, and for Transferor;
O. E. Johnson, Denver, Colorado, for Continental Bus System, Inc., as interest may appear.

S T A T E M E N T

By the Commission:

Joel Swank, Lake City, Colorado, is the owner and operator of PUC No. 2244, authorizing:

> transportation of passengers, in sightseeing service, in vehicles of not to exceed five-passenger capacity, each originating and terminating at Lake City, Colorado, or points within a 4-mile radius thereof, to all points, or a combination of points, within a radius of fifty miles of the Town of Lake City.

and by the instant application seeks authority to transfer said PUC No. 2244 to Howard W. Upham, doing business as "Scenic Jeep Tours," San Juan Ranch, Lake City, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Montrose, Colorado, November 2, 1964, and at the conclusion of the evidence, the matter was taken under advisement.

Howard W. Upham testified that he plans to do business under the name of "Scenic Jeep Tours," and that he has entered into

a contract to purchase PUC No. 2244 from Joel Swank for a cash consideration. The down payment has been made and the balance is to be paid if the Commission approves the transfer. He has a net financial worth in excess of $300,000.00. He is the owner of two jeeps and plans to utilize these two jeeps to render the proposed service. He is the owner of the San Juan Ranch at Lake City, and plans to furnish this jeep service not only to his own customers, but to the entire general public in the Lake City area. The application shows that there is no indebtedness against the certificate. Mr. Upham further testified that he is familiar with the rules and regulations of the Commission and will comply therewith if the transfer is approved.

No one appeared in opposition to granting the proposed transfer.

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.

O R D E R

THE COMMISSION ORDERS:

That Joel Swank, Lake City, Colorado, be, and hereby is, authorized to transfer all right, title, and interest in and to PUC No. 2244 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Howard W. Upham, doing business as "Scenic Jeep Tours," Lake City, Colorado, subject to encumbrances, if any, against said authority approved by the Commission.

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 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 10th day of November, Colorado.

et.

original copy

(Decision No. 64036)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
BENNY MARTINEZ)
P.O. Box 224)
Dove Creek, Colorado)
)
)

AUTHORITY NO. B 4514 and M 5213

CASE NO. 17729 Ins.

November 10, 1964

S T A T E M E N T

By the Commission:

On November 4, 1964, 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

Commissioners

Dated at Denver, Colorado,
this 10th day of November, 1964

(Decision No. 64037)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
TROY D. YOUNGBLOOD AND TOM D. YOUNG-)
BLOOD, DOING BUSINESS AS "T.D.Y.)
LOGGING," ROUTE 1, BOX 323, MONT-) APPLICATION NO. 20761-PP
ROSE, COLORADO, FOR A CLASS "B" PER-)
MIT TO OPERATE AS A PRIVATE CARRIER)
BY MOTOR VEHICLE FOR HIRE.)

November 10, 1964

Appearances: Tom D. Youngblood, Montrose, 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 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 fifty-mile 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 Court House, Montrose, Colorado, November 2, 1964, and at the conclusion of the evidence, the matter was taken under advisement.

Tom D. Youngblood testified that he and his father, Troy D. Youngblood, are operating as partners and doing business under the trade name of TT. D. Y. Logging." They own two logging trucks which they plan to utilize in rendering service under the requested authority. Troy D. Youngblood has had some thirty years experience in the trucking business and Tom D. Youngblood has had over fifteen. They have had previous authorities granted by this Commission, are familiar with the rules and regulations of the Commission and will comply

therewith if the requested authority is granted. They have a net financial worth in excess of $50,000. If this authority is granted, they plan to enter into contracts with the Colorado Lumber Company and others for the rendition of service under the requested authority. They were issued Temporary Authority on October 2, 1964, and have been operating thereunder since that time.

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

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

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

F I N D I N G S

THE COMMISSION FINDS:

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

O R D E R

THE COMMISSION ORDERS:

That Troy D. Youngblood and Tom D. Youngblood, doing business as "T.D.Y. Logging," Montrose, Colorado, be, and hereby are, 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 fifty-mile radius, to markets in the State ofColorado; and this ORDER shall be deemed to be, and be, 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 memorando of their terms, the necessary tariffs, required insurance, and have secured authority sheets.

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 10th day of November, 1964.

et.

(Decision No. 64038)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RAYMOND DALTON, DOING BUSINESS AS)
"GUNNISON LOGGING COMPANY," GUNNISON,) APPLICATION NO. 20770-PP
COLORADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY MOTOR)
VEHICLE FOR HIRE.)

November 10, 1964

Appearances: Raymond Dalton, Gunnison, Colorado, pro se.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs, poles, and timber products, from forests, to sawmills, places of storage, and loading points within a radius of two hundred miles of said forests; rough lumber, from sawmills in said two hundred-mile 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 Court House, Montrose, Colorado, November 2, 1964, and at the conclusion of the evidence, the matter was taken under advisement.

Raymond Dalton testified that he is doing business under the name of "Gunnison Logging Company;" that he is the owner of four tractors, four trailers, and two pickups which he plans to utilize in rendering service under the requested authority. He has had eighteen years experience in the trucking business and has a net financial worth in excess of $85,000. If the requested authority is granted, he plans to enter into contracts for hauling with the

Gunnison Lumber Company and with others. He was issued Temporary Authority by this Commission on October 2, 1964, and has been operating under such Temporary Authority since that time. He is familiar with the rules and regulations of the Commission and will comply therewith if the authority is granted.

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

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

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

F I N D I N G S

THE COMMISSION FINDS:

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

O R D E R

THE COMMISSION ORDERS:

That Raymond Dalton, doing business as "Gunnison Logging Company," Gunnison, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportationof logs, poles, and timber products, from forests, to sawmills, places of storage, and loading points within a radius of two hundred miles of said forests; rough lumber, from sawmills in said two-hundred-mile radius, to markets in the State of Colorado, with no town-to-town service; and this ORDER shall be deemed to be, and be, 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 state-

ment of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured authority sheets.

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 10th day of November, 1964.

et.

(Decision No. 64039)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JOHN H. HARRIS, BOX 388, PAONIA,)
COLORADO, FOR A CLASS "B" PERMIT TO) APPLICATION NO. 20762-PP
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

November 10, 1964

Appearances: John H. Harris, Paonia, Colorado, pro se.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs, poles, and timber products, from forests, to sawmills, places of storage, and loading points within a radius of seventy-five miles of said forests; rough lumber, from sawmills in said seventy-five 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 Court House, Montrose, Colorado, November 2, 1964, and at the conclusion of the evidence, the matter was taken under advisement.

John H. Harris testified that he is the owner of four trucks and trailers, has had fifteen years experience in the trucking business, has a net financial worth in excess of $60,000, plans to haul forthe Hotchkiss Timber Company and others under contract, is familiar with the rules and regulations of the Commission and will comply therewith if the authority is granted. He was granted Temporary Authority on September 23, 1964, and has been hauling under such authority for the said Hotchkiss Timber Company since that time.

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

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

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

F I N D I N G S

THE COMMISSION FINDS:

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

O R D E R

THE COMMISSION ORDERS:

That John H. Harris, Paonia, 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 seventy-five miles of said forests; rough lumber, from sawmills in said seventy-five mile radius, to markets in the State of Colorado, with no town-to-town service, and this ORDER shall be deemed to be, and be, 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 10th day of November, 1964.

Original

(Decision No. 64040)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GEORGE E. OLIVER, ROUTE 2, BOX 210,)
MONTROSE, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE CAR-) APPLICATION NO. 20760-PP
RIER BY MOTOR VEHICLE FOR HIRE.)

November 10, 1964

Appearances: George E. Oliver, Montrose, 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 seventy-five miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to home and small construction jobs within a radius of seventy-five miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of seventy-five miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of seventy-five miles of said pits and supply points, transportation of road-surfacing materials to be restricted against the use of tank vehicles.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Montrose, Colorado, November 2, 1964, and at the conclusion of the evidence, the matter was taken under advisement.

George E. Oliver testified that he is the owner of a 1959 dump truck which he plans to utilize to render service, if the requested authority is granted. He has had over twenty years experience as a truck driver and has a net financial worth in excess of $100,000. If the authority is granted, he plans to enter into contracts with C. E. Mills and other contractors in the area. He was granted Temporary Authority by the Commission on October 16, 1964 and has been hauling under such authority since that time. He is familiar with the rules and regulations of the Commission and will comply therewith if the requested authority is granted.

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

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

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

F I N D I N G S

THE COMMISSION FINDS:

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

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

O R D E R

THE COMMISSION ORDERS:

That George E. Oliver, Montrose, Colorado, should be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of seventy-five miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad

loading points, and to home and small construction jobs within a radius of seventy-five miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of seventy-five miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of seventy-five miles of said pits and supply points; the transportation of road-surfacing materials being restricted against the use of tank vehicles; and this ORDER shall be deemed to be, and be, 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 10th day of November, 1964.

et.

(Decision No. 64041)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LARRY SEBRING, 614 WEST GUNNISON,)
GUNNISON, COLORADO, FOR A CLASS "B") APPLICATION NO. 20759-PP
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)

November 10, 1964

Appearances: Walter Sebring, Gunnison, Colorado, for Applicant.

S T A T E M E N T

By the Commission:

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

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Montrose, Colorado, November 2, 1964, and at the conclusion of the evidence, the matter was taken under advisement.

Walter Sebring testified that he is the brother of the Applicant herein and was appearing in this matter at the request of his brother. Larry Sebring is the owner of a 1958 Chevrolet dump truck which he plans to utilize in rendering service under the requested authority. He has had seven years trucking experience and has a net financial worth in excess of $10,000. If the authority is granted, he plans to enter into contracts with contractors for the rendition of the authorized service. He is familiar with the rules and regulations of the Commission and will comply therewith if the requested authority is granted.

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

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

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

F I N D I N G S

THE COMMISSION FINDS:

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

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

O R D E R

THE COMMISSION ORDERS:

That Larry Sebring, Gunnison, Colorado, should be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colo-

rado, to road jobs, mixer and processing plants within a radius of seventy-five miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to home and small construction jobs within a radius of seventy-five miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of seventy-five miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of seventy-five miles of said pits and supply points; the transportation of road-surfacing materials being restricted against the use of tank vehicles; and this ORDER shall be deemed to be, and be, 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 10th day of November, 1964.

et.

original

(Decision No. 64042)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HARRY B. HAWKS, ROUTE 4, BOX 131,)
MONTROSE, COLORADO, FOR AUTHORITY TO) APPLICATION NO. 20765-PP-Extension
EXTEND OPERATIONS UNDER PERMITS NOS.)
B-1365 AND B-1365-I.)

November 10, 1964

Appearances: Theodore L. Brooks, Esq., Montrose, Colorado, for Applicant;
Orville Dunlap, Montrose, Colorado, for Orville Dunlap & Son, Protestant.

STATEMENT AND FINDINGS

By the Commission:

Harry B. Hawks, Montrose, Colorado, is the owner and operator of Permits Nos. B-1365 and B-1365-I, authorizing:

> transportation of farm produce (including livestock but excepting wool in grease), coal, used household goods and farm implements, from and to points within a radius of 50 miles of Montrose, Colorado, to and from points in the State of Colorado, and the further right to transport peaches from the Palisade district to the nearest railroad loading point;
>
> uranium, vanadium, and ferric oxide ores, to railroad loading points at Ridgway, Colorado, from mines in San Miguel County, Colorado, for Mrs. Boyd Robinson;
>
> that the name of "Darrell W. Blair, doing business as "Blair's Service Station," Montrose, Colorado, should be, and hereby is, substituted for that of "Philip Schneider, Jr., doing business as 'Schneider's Service Station'", Montrose, Colorado, as a customer who may be served, in the transportation of petroleum products, in bulk, in tank trucks;
>
> sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants

within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, the transportation of road-surfacing materials to be limited to the use of dump trucks, only;

scrap metals and junk, to and from points within a radius of sixty miles of Montrose, Colorado, from and to points within the State of Colorado;

petroleum products in bulk, in tank trucks only, from and to points within a radius of 50 miles of Montrose, Colorado, to and from points in the State of Colorado, such service to be limited to the following customers, to-wit: Felin Bros; W. H. Hill, Consumers Gas and Oil Cooperative, Delta, Colorado; Montrose Consumers Oil Corporation, Montrose, Colorado; and Consumers Gas and Supply Company, Olathe, Colorado, without the right to add any other customers without permission first obtained from the Commission;

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;

and by the instant application seeks authority to extend operations under said Permits Nos. B-1365 and B-1365-I to include the right to transport wet ready mix concrete, in ready mix trucks and dump trucks, from supply points, to job sites within a radius of seventy-five miles of said supply points, in the State of Colorado; also the right to add the name of Manuel Schlauger, doing business as "Montrose Gas and Appliance Company," to his list of customers to be served in the transportation of petroleum products.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Montrose, Colorado, November 2, 1964, and at the conclusion of the evidence, the matter was taken under advisement.

Prior to the taking of testimony, Orville Dunlap, appearing for Orville Dunlap and Son, as Protestant, stated that his protest applied only to the inclusion of the name of Manuel Schlauger, doing

business as "Montrose Gas and Appliance Company," to the list of customers to be served by applicant under applicant's petroleum products authority. Orville Dunlap specifically stated that he had no objection to the authority sought by applicant for the transportation of wet ready mix concrete, in ready mix trucks and dump trucks, from supply points, to job sites within a radius of seventy-five miles of said supply points, in the State of Colorado.

During the course of the testimony, the Attorney for the Applicant limited the authority sought by the applicant as to the transportation of said wet ready mix concrete by bringing out through the testimony of applicant that the applicant did not seek statewide authority, but simply sought authority to transport the said wet mix concrete from supply points in the Montrose area to job sites within a radius of seventy-five miles of the City of Montrose, Colorado.

Harry B. Hawks testified that he is the owner of Permits Nos. B-1365 and I, and seeks extension of authority thereunder, all as set forth in the application. Phil Schneider operates a supply point for wet ready mix concrete in the Montrose area and the applicant intends to haul for the said Phil Schneider, and for any other supply points desiring to utilize his transportation services in the Montrose area. He has flat bed trucks available, suitable for the mounting of concrete mixers, which he will utilize in rendering the proposed service. The financial statements of the applicant on file with the Commission establish that the applicant is financially responsible.

In reference to the addition of Manuel Schlauger, doing business as "Montrose Gas and Appliance Company" to the list of customers to be served by applicant under applicant's petroleum products authority, Harry Hawks testified that he wished to haul liquefied propane gas in bulk for the said Manuel Schlauger from supply points, such as Ignacio, Durango, and Denver, to Montrose. He further stated that he knew of no carrier in the Montrose area that presently had the equip-

ment necessary to haul liquefied propane gas. On cross-examination, by Orville Dunlap, Harry Hawks testified that he had never hauled liquefied propane gas before and that he would either lease or buy the necessary equipment.

Manuel Schlauger, testifying in support of the application, stated that he was the owner of the Montrose Gas and Appliance Company. In years past, he utilized the services of the Denver and Rio Grande Western Railroad Company to transport liquefied propane gas into the Montrose area. This service, however, was not satisfactory to Manuel Schlauger because of delivery delays and the necessity of carrying large quantities of said material in stock. For these reasons and others, he discontinued the use of the railroad service and started hauling his own liquefied propane gas about a year ago. His further testimony indicated that he had purchased a liquefied propane gas tanker at or near that time and apparently had leased tractor equipment from Harry Hawks for the transportation of said propane gas. He would prefer that Harry Hawks be authorized to render the complete service.

Orville Dunlap testified that his company, Orville Dunlap and Son, is the owner of common carrier authority, PUC No. 1861, issued by this Commission, and that under such certificate, such company has the authority to render the transportation service needed by Manuel Schlauger. Such company presently owns or leases some eighteen tractors, some of which would be available for the rendition of the proposed service. His company does not presently own liquefied propane tank trailers, but is ready, willing and able to either buy or lease such trailers for such service. His business has decreased some 25% during the past year and he has a great deal of equipment standing idle. He has never been approached by Manuel Schlauger as to the rendition of the proposed service. On cross-examination, it appeared that Orville Dunlap has not actively solicited the business of Manuel

Schlauger, at least during the past two years.

From the record herein, the Commission finds that the granting of authority to the applicant to transport wet ready mix concrete, in ready mix trucks and dump trucks, from supply points, in the Montrose area, to job sites within a radius of seventy-five miles of Montrose, would not impair the efficient public service of any authorized motor vehicle common carrier, that the applicant has at least one customer presently desirous of utilizing his proposed service, and that this authority should be granted to the applicant.

The Commission further finds that in reference to that portion of the application seeking authority to add Manuel Schlauger, doing business as "Montrose Gas and Appliance Company," to the list of customers to be served by applicant under applicant's petroleum products authority, that the common carrier Orville Dunlap and Son is ready, willing and able to furnish the desired transportation service, that the service by Orville Dunlap and Son is adequate, and that the granting of the requested authority herein would impair the efficient public service of the said common carrier Orville Dunlap and Son, by contributing to the already depressed condition of said carrier.

Under such circumstances, the Commission finds that that portion of the application herein which seeks authority to add the name of Manuel Schlauger, doing business as "Montrose Gas and Appliance Company," to the list of customers to be served by applicant under applicant's petroleum products authority should be denied.

O R D E R

THE COMMISSION ORDERS:

That Harry B. Hawks, Montrose, Colorado, be, and hereby is, authorized to extend operations under Permits Nos. B-1365 and B-1365-I, to include the transportation of wet ready mix concrete, in ready mix trucks and dump trucks, from supply points in the Montrose area, to job sites within a radius of seventy-five miles of Montrose, in the State

of Colorado, and this ORDER shall be deemed to be, and be, a PERMIT therefor.

That in all other respects Application No. 20765-PP-Extension be, and the same hereby is, denied.

That extension of interstate operating rights herein authorized is subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

This Order is made a part of the permits granted to applicant, and shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 10th day of November, 1964.

mls

Original

(Decision No. 64043)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE WESTERN COLORADO POWER COMPANY,)
MONTROSE, COLORADO, FOR A CERTIFICATE) APPLICATION NO. 20749
OF PUBLIC CONVENIENCE AND NECESSITY)
IN THE CITY OF MONTROSE, MONTROSE)
COUNTY, COLORADO.)

November 12, 1964

Appearances: Strang, Campbell & Cashen, Esqs.,
by Herbert L. Strang, Esq.,
Montrose, Colorado, and
Irvine, Baucom, & Porter, Esqs.,
by Robert B. Porter, Esq.,
Salt Lake City, Utah,
for Applicant.

S T A T E M E N T

By the Commission:

The above-entitled application was filed with this Commission on September 24, 1964, and was set for hearing by the Commission after due notice to all interested parties. In accordance with the notice of hearing, this matter was heard by the Commission at the Court House in Montrose, Colorado, on Monday, November 2, 1964, and at the conclusion of the hearing the matter was taken under advisement.

No one appeared at the hearing in opposition to the authority sought to be granted by this application.

Applicant, the Western Colorado Power Company, is a corporation duly organized and existing under the laws of the State of Colorado, and is a public utility company subject to the jurisdiction of this Commission, engaged primarily in the generation, transmission, distribution and sale of electric energy at various places within the southwestern part of the State of Colorado.

Its Articles of Incorporation have heretofore been filed with this Commission in Application No. 10976. Its principal office and place of business is at Montrose, Colorado.

Montrose is a Home Rule city under the laws of the State of Colorado, located in Montrose County in said State, and is now and has been for many years past furnished with electricity for lighting, heat, power and other purposes by Applicant. Electric service has been furnished in Montrose under a franchise granted by said city in the year 1950, the terms of said franchise to expire on May 26, 1965.

Mr. L. J. Baudino, Vice-President and General Manager for Applicant testified at the hearing that the Company applied for and obtained a new franchise to become effective on May 26, 1965, the expiration date of its present franchise. The new franchise, being Ordinance No. 517 is entitled as follows:

> AN ORDINANCE GRANTING THE WESTERN COLORADO POWER COMPANY AN ELECTRIC LIGHT, HEAT AND POWER FRANCHISE IN THE CITY OF MONTROSE, COLORADO.

The above entitled ordinance was submitted to the vote of qualified electors of the City of Montrose and said ordinance was passed with the vote of 961 for, and 274 against. This franchise is for a period of fifteen years. A copy of said franchise is attached to the application herein and made a part hereof by reference. The Company accepted the franchise in writing on August 28, 1964.

The 1960 census shows the population of Montrose to be 5,004 and Applicant's present net investment in said City is in excess of $600,000. During the life of the new franchise, Applicant expects to invest $1,100,000 in additions to its property. This latter figure will be used by the Commission for setting the fee for the issuance of the certificate sought herein, but will not be binding upon the Commission where rates or valuation may be an issue.

Service will continue to be furnished under the rates, rules, and regulations of Applicant presently on file with the Com-

mission or as the same may be changed according to law and the rules and regulations of the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That the Commission has jurisdiction of Western Colorado Power Company, Applicant herein, and of the subject matter of the instant application.

That the Commission is fully advised in the premises.

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

That public convenience and necessity require, and will require, the exercise by Applicant of the franchise rights granted in and by Ordinance No. 517, effective as of May 26, 1965, of the City of Montrose, for the supplying of electricity to said City and the inhabitants thereof, and that the authority sought herein should be granted.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require, and will require, the exercise by Western Colorado Power Company of the franchise rights granted in and by Ordinance No. 517, effective May 26, 1965, of the City of Montrose, marked as Exhibit A attached to the Application and made a part hereof by reference, for the purpose of supplying electricity to said City, and the inhabitants thereof; and this ORDER shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

That Western Colorado Power Company shall install,operate and maintain its electric system and supply service in the area above designated 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 Colorado Power Company shall continue to maintain its books and accounts in accordance with the Uniform System of Accounts and shall continue to keep its practices as to the testing of meters, consumers' deposits, operations, records of meters and complaints in accordance with the requirements of the Commission.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 12th day of November, 1964.

et.

(Decision No. 64044)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
CLIFFORD T. RUSSELL, DOING BUSINESS)
AS, "CLIFF'S ENCO SERVICE", 300 EAST)
OLIVE STREET, LAMAR, COLORADO.)
)
)

PERMIT NO. M-1057

November 12, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Clifford T. Russell, doing business as, "Cliff's Enco Service", Lamar, Colorado requesting that Permit No. M-1057 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1057, heretofore issued to Clifford T. Russell, doing business as, "Cliff's Enco Service", Lamar, Colorado be, and the same is hereby, declared cancelled effective October 20, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard S. Bjelland
Ralph C. Horlow
Commissioners

Dated at Denver, Colorado,
this 12th day of November, 1964.

hc

(Decision No. 64045)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
)
JOSEPH A. BOWMAN AND MONTE A. HACKER,)
DOING BUSINESS AS, "BOWMAN AND HACKER",) PERMIT NO. M-1731
611 EAST 8TH, LOVELAND, COLORADO.)
)

November 12, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Joseph A. Bowman & Monte A. Hacker, dba "Bowman & Hacker", Loveland, Colorado requesting that Permit No. M-1731 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1731, heretofore issued to Joseph A. Bowman & Monte A. Hacker, dba "Bowman & Hacker", Loveland, Colorado be, and the same is hereby, declared cancelled effective October 26, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,

this 12th day of November, 1964.

hc

(Decision No. 64046)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF) WILLIAM F. MEDLOCK, DOING BUSINESS AS "MEDLOCK GAS SHOP", 22½ SOUTH CHESTNUT STREET, COLORADO SPRINGS, COLORADO.) PERMIT NO. M-2401

November 12, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from William F. Medlock, doing business as, "Medlock Gas Shop", Colorado Springs, Colorado requesting that Permit No. M-2401 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2401, heretofore issued to William F. Medlock, doing business as, "Medlock Gas Shop", Colorado Springs, Colorado be, and the same is hereby, declared cancelled effective October 1, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Edward J. Bijkerk
Ralph E. Horton
Commissioners

Dated at Denver, Colorado,

this 12th day of November, 19 64.

hc

(Decision No. 64047)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
ROBERT ROTHFUSS, DOING BUSINESS AS,)
"BOB'S LANDSCAPING", 1206 WEST 70TH) PERMIT NO. M-2451
AVENUE, DENVER 11, COLORADO.)
)

November 12, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Robert Rothfuss, doing business as, "Bob's Landscaping", Denver 11, Colorado requesting that Permit No. M-2451 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2451, heretofore issued to Robert Rothfuss, doing business as, "Bob's Landscaping", Denver 11, Colorado be, and the same is hereby, declared cancelled effective October 8, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,

this 12th day of November, 1964.

hc

(Decision No. 64048)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
CURTISS CANDY COMPANY (CORPORATION))
207 WAZEE MARKET, DENVER 4, COLORADO.) PERMIT NO. M-2614
)
)

November 12, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Curtiss Candy Co. (Corp), Denver 4, Colorado requesting that Permit No. M-2614 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2614, heretofore issued to Curtiss Candy Co. (Corp), Denver 4, Colorado be, and the same is hereby, declared cancelled effective October 1, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Harold S. Gilland

Commissioners

Dated at Denver, Colorado,

this 12th day of November, 1964.

hc

(Decision No. 64049)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF PETROLEUM TRANSPORT COMPANY, 1700 BROADWAY, DENVER, COLORADO, FOR AUTHORITY TO TRANSFER PUC NO. 435 AND PUC NO. 435-I TO GALE J. DOGGETT, DOING BUSINESS AS "DOGGETT TRUCKING COMPANY," BOX 193, SIDNEY, NEBRASKA.

APPLICATION NO. 20804-Transfer

November 9,1964

Appearances: Ned Looney, Esq., Denver, Colorado, for Applicants; Edward L. Reilly, Denver, Colorado for Transferee.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the above-styled application, Petroleum Transport Company, Denver,Colorado, seeks authority to transfer PUC No. 435 and PUC No. 435-I to Gale J. Doggett, doing business as "Doggett Trucking Company," Sidney, Nebraska, said certificates being the right to operate as a common carrier by motor vehicle for hire, for transportation of:

> livestock between Denver and all points in the State of Colorado, subject to the following terms and conditions: (a) That applicant shall not have any branch office, agencies or agents outside the City of Denver, for the solicitation of and conduct of business; livestock, including horses and mules, from, and to and between points within the State of Colorado; freight, in interstate commerce, only, 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 application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At 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 conclusions.

At the hearing, Roger Spahr, General Sales Manager of Transferor, appeared and testified in support of the application, stating there is no outstanding indebtedness against said operating rights; that the consideration for transfer of said certificates, together with certain equipment, is the sum of $21,800.

Gale J. Doggett, Transferee herein, also appeared and testified in support of the application, stating he has ample and suitable equipment, sufficient net worth and operating experience with which to continue operations under said certificates.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that Transferee will have sufficient equipment and experience to properly carry on the operation; that Transferee's financial standing is established to the satisfaction of the Commission; 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 Petroleum Transport Company, Denver, Colorado, be, and hereby is, authorized to transfer all right, title, and interest in and to PUC No. 435 and PUC No. 435-I -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Gale J. Doggett, doing business as "Doggett Trucking Company," Sidney, Nebraska, subject to encumbrances, if any, against said operating rights approved by this Commission.

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 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

Commissioners

Dated at Denver, Colorado,
this 9th day of November, 1964.

et.

(Decision No. 64050)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF NEWTON T. BECK, JR., MR. LEONARD COLLINS, AND MR. M. S. RASBURY ON BEHALF OF THEMSELVES AND OTHERS SIMILARLY SITUATED FOR AN ORDER AUTHORIZING PUBLIC SERVICE COMPANY OF COLORADO TO RENDER STREET LIGHTING SERVICE IN AN UNINCORPORATED AREA IN ADAMS COUNTY.

APPLICATION NO. 20816

November 12, 1964

Appearances: D. D. Cawelti, Esq., Denver, Colorado, for Public Service Company of Colorado;
J. M. McNulty, Denver, Colorado, of the Staff of the Commission.

S T A T E M E N T

By the Commission:

This is an application by Mr. Newton T. Beck and others, representing themselves and all other customers similarly situated, for an order authorizing Public Service Company of Colorado to install, operate and maintain street lighting service in an unincorporated area in Adams County, as shown on the map identified as Exhibit A attached to the application, and as hereinafter more fully described.

The matter was set for hearing, after due notice to interested parties, on November 9, 1964, at 1:30 o'clock P.M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, and was heard on a consolidated record with Applications No. 20817, 20818, 20819 and 20820.

No petitions of intervention were filed prior to the hearing and no one appeared at the hearing in opposition to the application.

A petition for street lighting service addressed to Public Service Company of Colorado (Public Service) was circulated among the residents of an area in which 236 customers now receive electric service. Of the 236 customers, signatures were obtained of 206, or a percentage of 87.3% of the total number of customers. Properly identified conformed copies of said petitions were submitted as Exhibit Nos. B-1 through B-5 respectively. The tariff of Public Service, providing for street lighting in unincorporated areas, states, among other things, that street lighting in an established area otherwise qualifying will be provided upon receipt by the Company of a petition from all electric customers within the area or upon an order or decision of this Commission directing street lighting service to be established in the area. Since 30 customers did not sign, the Company could not install street lights without an order of the Commission.

Principal spokesman for Applicants was Mr. Newton T. Beck. Mr. Beck testified no street lighting now exists in the area contemplated in this application. He stated that police protection was inadequate and that there had been incidents of thefts and vandalism which might have been prevented by adequate lighting. He also testified that adequate street lighting was essential from the standpoint of traffic safety, to help cut down on tag racing and speeders.

Also present in support of the application, though not testifying was Mr. M. S. Rasbury, who is a resident of the area.

Mr. J. H. Ranniger, and engineer, in the Rate Department of Public Service Company of Colorado, testified the area met all requirements of the tariff conditions, except the number of signers. Upon an Order of this Commission, the Company is ready, willing and able to install street lighting in the area. No construction contributions are required of electric customers and, as provided in the tariff, a charge of $0.45 per month per

customer will be made. The engineering of the street lighting for the area has already been undertaken. It will require approximately 30 days to make the initial system operational. 7,000 lumen mercury vapor vertically operated, non-ornamental lights will be provided. Service will be furnished in accordance with tariff sheets, Colorado PUC No. 4-Electric,Eighth Revised Sheet No. 262, Third Revised Sheet No. 262A and Original Sheet No. 262B.

The proposed street lighting system was estimated to cost $5449 which will be provided from internal funds of the Company.

F I N D I N G S

THE COMMISSION FINDS:

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

That it has jurisdiction of the subject matter of this application, and of the Public Service Company of Colorado.

That the preservation of the public peace, health and safety require the installation of a street lighting system in the area described in the Order to follow.

O R D E R

THE COMMISSION ORDERS:

That Public Service Company is hereby authorized and directed to install, operate and maintain a non-ornamental, mercury vapor street light system in accordance with the provisions of its Tariff, Colorado PUC No. 4-Electric, Eighth Revised Sheet No. 262, Third Revised Sheet No. 262A and Original Sheet No. 262B. now existing or as it may be changed under the rules of this Commission, or according to law.

That street lights, approximately 36 in number, shall be installed as required in the area described as follows:

> Beginning at the southwest corner of the lot at the southeast corner of the intersection of Washington Street and Essex Drive, thence north along the east line of Washington Street, across Essex Drive and Sheldon Drive to the northwest corner of the lot at the northeast corner of the intersection of Washington Street and Sheldon Drive; thence east along the rear

lot lines of the lots north of Sheldon Drive extended to the point of intersection with the center line of Corona Street; thence south along said center line to the intersection with the center line of Sheldon Drive; thence southeasterly along said center line to the point of intersection with the center line of Dawson Street; thence northeasterly along said center line to the intersection with the north lot line extended of the second lot northeasterly of Sheldon Drive; thence southeasterly along the northeasterly lot line of said lot and the northeasterly lot line of the lot numbered as 8671 DeSoto Street, across DeSoto Street and along the northeasterly lot lines of the lots numbered as 8660 DeSoto Street and 8651 Edison Street, across Edison Street, and along the northeasterly lot lines of the lots numbered as 8650 Edison Street and 8641 Essex Street, across Essex Street and along the northeasterly lot line of the lot numbered as 8630 Essex Street to the northeasterly corner thereof; thence southwesterly along the southeasterly lot lines of said last-named lot and the lot numbered as 8620 Essex Street; thence southwesterly across Sheldon Drive to the northeasterly corner of the lot numbered as 8610 Essex Street and along the rear lot line of said last-named lot and the other lots southeasterly of Essex Street, across City View Drive and continuing southwesterly along the rear lot lines of the lots southeasterly of Essex Drive, to the point of intersection with the rear lot lines of the lots south of Essex Drive, across Clarkson Street, to the point of beginning.

That 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 12th day of November, 1964.

(Decision No. 64051)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF MRS. SIDNEY OAKLEY, MRS. JOHN F. HUNDLEY AND MRS. W. R. XANDER ON BEHALF OF THEMSELVES AND OTHERS SIMILARLY SITUATED FOR AN ORDER AUTHORIZING PUBLIC SERVICE COMPANY OF COLORADO TO RENDER STREET LIGHTING SERVICE IN AN UNINCORPORATED AREA IN ADAMS COUNTY.

APPLICATION NO. 20817

November 12, 1964

Appearances: D. D. Cawelti, Esq., Denver, Colorado, for Public Service Company of Colorado;
J. M. McNulty, Denver, Colorado, of the Staff of the Commission.

S T A T E M E N T

By the Commission:

This is an application by Mrs. Sidney Oakley and others, representing themselves and all other customers similarly situated, for an order authorizing Public Service Company of Colorado to install, operate and maintain street lighting service in an unincorporated area in Adams County, as shown on the map identified as Exhibit A attached to the application, and as hereinafter more fully described.

The matter was set for hearing, after due notice to interested parties, on November 9, 1964, at 1:30 o'clock P.M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, and was heard on a consolidated record with Applications No. 20816, 20818, 20819 and 20820.

No petitions of intervention were filed prior to the hearing and no one appeared at the hearing in opposition to the application.

A petition for street lighting service addressed to Public Service Company of Colorado (Public Service) was circulated among the residents of an area in which 128 customers now receive electric service.

Of the 128 customers, signatures were obtained of 110, or a percentage of 86% of the total number of customers. Properly identified conformed copies of said petitions were submitted as Exhibit Nos. B-1 through B-3 respectively. The tariff of Public Service, providing for street lighting in unincorporated areas, states, among other things, that street lighting in an established area otherwise qualifying will be provided upon receipt by the Company of a petition from all electric customers within the area or upon an order or decision of this Commission directing street lighting service to be established in the area. Since 18 customers did not sign, the Company could not install street lights without an Order of the Commission.

Principal spokesman for Applicants was Mrs. W. R. Xander. Mrs. Xander testified no street lighting now exists in the area contemplated in this application. She stated that police protection was inadequate and that there had been incidents of prowlers and vandalism which might have been prevented by adequate lighting. She also testified that adequate street lighting was essential from the standpoint of traffic safety, as this would in her opinion help to eliminate car racing now taking place.

Also present in support of the application, though not testifying were Mrs. Sidney A. Oakley and Mrs. John F. Hundley, who are residents of the area.

Mrs. J. H. Ranniger, an engineer, in the Rate Department of Public Service Company of Colorado, testified the area met all requirements of the tariff conditions, except the number of signers. Upon an Order of this Commission, the Company is ready, willing and able to install street lighting in the area. No construction contributions are required of electric customers and, as provided in the tariff, a charge of $0.45 per month per customer will be made. The engineering of the street lighting for the area

has already been undertaken. It will require approximately 30 days to make the initial system operational. 7,000 lumen mercury vapor vertically operated, non-ornamental lights will be provided. Service will be furnished in accordance with tariff sheets, Colorado PUC No. 4-Electric, Eighth Revised Sheet No. 262, Third Revised Sheet No. 262A and Original Sheet No. 262B.

The proposed street lighting system was estimated to cost $2892 which will be provided from internal funds of the Company.

F I N D I N G S

THE COMMISSION FINDS:

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

That it has jurisdiction of the subject matter of this application, and of the Public Service Company of Colorado.

That the preservation of the public peace, health and safety require the installation of a street lighting system in the area described in the Order to follow:

O R D E R

THE COMMISSION ORDERS:

That Public Service Company is hereby authorized and directed to install, operate and maintain a non-ornamental, mercury vapor street light system in accordance with the provisions of its Tariff, Colorado PUC No. 4-Electric, Eighth Revised Sheet No. 262, Third Revised Sheet No. 262A and Original Sheet No. 262B now existing or as it may be changed under the rules of this Commission, or according to law.

That street lights, approximately 18 in number, shall be installed as required in the area described as follows:

> Beginning at the intersection of the center line of East 88th Avenue with the rear lot lines extended of the lots west of Hopkins Drive; thence south and curving southwesterly along said rear lot lines, across McElwain Boulevard, to the southwesterly corner of the

lot designated as 1821 McElwain Boulevard; thence southeasterly along the southwesterly lot line of said lot, across Hopkins Drive, along the southwesterly lot lines of the lots southwesterly of McElwain Boulevard, across Rainbow Avenue, to the southeasterly corner of the lot at the southeasterly corner of the intersection of McElwain Boulevard and Rainbow Avenue; thence northeasterly to the northeasterly corner of said lot, across McElwain Boulevard to the northerly line of McElwain Boulevard; thence northeasterly around the curving northerly line of said Boulevard to the intersection with the southwesterly lot lines of the lots southwesterly of Katheryn Drive; thence northwesterly along said last-named lot lines to the southeasterly corner of the lot at the southeasterly corner of the intersection of Rainbow Avenue and Katheryn Drive; thence northeasterly along the southeasterly lot lines of the lots southeasterly of Rainbow Avenue, across Katheryn Drive and McDougal Street to the northeasterly corner of the lot at the northeasterly corner of the intersection of McDougal Street and Rainbow Avenue; thence northwesterly across Rainbow Avenue and continuing along the northeasterly lot lines of the lots northeasterly of McDougal Street to the southeasterly corner of the lot at the southeasterly corner of the intersection of East 88th Avenue and Hopkins Drive (numbered as 8780 Hopkins Drive); thence northwesterly along the northeasterly lot line of said lot extended to the intersection with the center line of East 88th Avenue; thence west to the point of beginning.

That 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 12th day of November, 1964.

et.

Virginia

(Decision No.64052)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF MRS. DONALD G. VOGEL, MRS. F. D. SCHIEMANN AND MR. FLOYD H. HARRISON ON BEHALF OF THEMSELVES AND OTHERS SIMILARLY SITUATED FOR AN ORDER AUTHORIZING PUBLIC SERVICE COMPANY OF COLORADO TO RENDER STREET LIGHTING SERVICE IN AN UNINCORPORATED AREA IN JEFFERSON COUNTY.	APPLICATION NO. 20818

November 12, 1964

Appearances: D. D. Cawelti, Esq., Denver, Colorado, for Public Service Company of Colorado;
J. M. McNulty, Denver, Colorado, of the Staff of the Commission.

S T A T E M E N T

By the Commission:

This is an application by Mrs. Donald G. Vogel and others, representing themselves and all other customers similarly situated, for an order authorizing Public Service Company of Colorado to install, operate and maintain street lighting service in an unincorporated area in Jefferson County, as shown on the map identified as Exhibit A attached to the application, and as hereinafter more fully described.

The matter was set for hearing, after due notice to interested parties, on November 9, 1964, at 1:30 o'clock P.M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, and was heard on a consolidated record with Applications No. 20816, 20817, 20819 and 20820.

No petitions of intervention were filed prior to the hearing and no one appeared at the hearing in opposition to the application.

A petition for street lighting service addressed to Public Service Company of Colorado (Public Service) was circulated among the residents of an area in which 67 customers now receive electric service. Of the 67 customers, signatures were obtained of 63, or a percentage of 94% of the total number of customers. Properly identified conformed copies of said petitions were submitted as Exhibit Nos. B-1 through B-2 respectively. The tariff of Public Service, providing for street lighting in unincorporated areas, states, among other things, that street lighting in an established area otherwise qualifying will be provided upon receipt by the Company of a petition from all electric customers within the area or upon an order or decision of this Commission directing street lighting service to be established in the area. Since 4 customers did not sign, the Company could not install street lights without an order of the Commission.

Principal spokesman for Applicants was Mrs. Donald G. Vogel. Mrs. Vogel testified no street lighting now exists in the area contemplated in this application. She stated that police protection was inadequate and that there had been incidents of thefts and vandalism which might have been prevented by adequate lighting. She also testified that adequate street lighting was essential from the standpoint of traffic safety.

Also present in support of the application, though not testifying were Mr. and Mrs. F. D. Schiemann, and Mr. Floyd H. Harrison, who are residents of the area.

Mr. J. H. Ranniger, an engineer, in the Rate Department of Public Service Company of Colorado, testified the area met all requirements of the tariff conditions, except the number of signers. Upon an Order of this Commission, the Company is ready, willing and able to install street lighting in the area. No construction contributions are required of electric customers and, as provided in the

tariff, a charge of $0.45 per month per customer will be made. The engineering of the street lighting for the area has already been undertaken. It will require approximately 30 days to make the initial system operational. 7,000 lumen vapor vertically operated, non-ornamental lights will be provided. Service will be furnished in accordance with tariff sheets, Colorado PUC No. 4-Electric, Eighth Revised Sheet No. 262, Third Revised Sheet No. 262A and Original Sheet No. 262B.

The proposed street lighting system was estimated to cost $1280 which will be provided from internal funds of the Company.

F I N D I N G S

THE COMMISSION FINDS:

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

That it has jurisdiction of the subject matter of this application, and of the Public Service Company of Colorado.

That the preservation of the public peace, health and safety require the installation of a street lighting system in the area described in the Order to follow.

O R D E R

THE COMMISSION ORDERS:

That Public Service Company is hereby authorized and directed to install, operate and maintain a non-ornamental, mercury vapor street light system in accordance with the provisions of its Tariff Colorado PUC No. 4-Electric, Eighth Revised Sheet No. 262, Third Revised Sheet No. 262A and Original Sheet No. 262B now existing or as it may be changed under the rules of this Commission, or according to law.

That street lights, approximately 9 in number, shall be installed as required in the area described as follows:

Beginning at the southeast corner of the lot at the southeast corner of the intersection of West 33rd Avenue and Pierce Street (which lot is numbered as 3290 Pierce Street), thence west along the south line of said lot, across Pierce Street and along the rear lot lines of the lots south of West 33rd Avenue to the southwest corner of the lot numbered as 7190 West 33rd Avenue; thence north along the west side of said last-described lot to the southeast corner of the lot numbered as 3290-92 Teller Street; thence west along the south line of said last-described lot extended to the intersection with the center line of Teller Street; thence north to the intersection with the south lot line extended of the lot numbered as 3305-07 Teller Street; thence west along the south line of said last-described lot to the southwest corner thereof; thence north along the west lot lines of the lots west of Teller Street, across West 34th Avenue and West 34th Place to the intersection with the south line of the lot numbered as 3455 Teller Street; thence west to the southwest corner of said last-described lot; thence north along the west lot lines of the lots west of Teller Street to the northwest corner of the lot numbered as 3495 Teller Street; thence east along the north lot line of said last-described lot to the intersection with the center line of Teller Street; thence south along the center line of Teller Street to the intersection with the northeasterly lot line extended of the lot numbered as 3450 Teller Street; thence southeasterly along said lot line and the northeasterly lot line of the lot adjacent thereto and southeasterly thereof, to the northwest corner of the lot numbered as 3475 Reed Street; thence east along the north line of said last-described lot and across Reed Street to the northwest corner of the lot numbered as 3402 Reed Street; thence east along the north line of said last-described lot and along the northernmost lot line of the lot numbered as 3445 Quay Street to the intersection with the west lot line of the lot numbered as 3465 Quay Street; thence north to the northwest corner of said last-described lot; thence east along the north lot line of said last-described lot, across Quay Street and along the north off-set lot lines of the lot numbered as 3460 Quay Street and continuing along the north lines of the lot numbered as 3425 Pierce Street to the northeast corner thereof; thence across Pierce Street to the northwest corner of the lot numbered as 3470 Pierce Street; thence east along the north line of said lot to the northeast corner thereof; thence south along the rear lot lines of the lots east of Pierce Street, across West 33rd Avenue, to the point of beginning.

That 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 12th day of November, 1964.
et.

original

(Decision No. 64053)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF LINCOLN CAB, INC., 7407 GRANDVIEW, ARVADA, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY, AUTHORIZING EXTENSION OF OPERATIONS UNDER PUC NO. 3768.

(APPLICATION NO. 17007-Extension)
APPLICATION NO. 20650-Extension

November 12, 1964

Appearances: Thomas F. Kelly, Esq., Arvada, Colorado, for Applicant;
Walter M. Simon, Esq., Denver, Colorado, for Yellow Cab, Inc., Checker Cab Company, Aurora Cab Company, Englewood Cab Company, Derby Cab Company, and Publix Cab Company;
George Fischer, Esq., Brighton, Colorado, for Brighton Cab;
Charles E. Williams, Esq., Boulder, Colorado, for Boulder Stage Lines;
Kenneth A. Felt, Commerce City, Colorado, for Adams County Cab Co., Broomfield Cab Co., Inc.;
Don James, Boulder, Colorado, for Denver-Boulder Bus Co., Colorado Transportation Co.

S T A T E M E N T

By the Commission:

On October 30, 1964, by Decision No. 63957, the Commission issued its Order in the above-styled matter.

It now appears that an error was made in the Application Number, and that the Number should be 20650-Extension, in lieu of 17007-Extension.

F I N D I N G S

THE COMMISSION FINDS:

That Decision No. 63957 should be amended, as set forth in

the following Order.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 63957, dated October 30, 1964, be, and the same hereby is, amended, nunc pro tunc, as of said 30th day of October, 1964, by striking therefrom Application No. 17007-Extension, appearing at the top of the first page of said Decision No. 63957, and inserting in lieu thereof Application No. 20650-Extension.

That, except as herein amended, said Decision No. 63957 shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 12th day of November, 1964.

mls

(Decision No. 64054)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
ROBERT C. CUMMINGS DBA)
CUMMINGS METAL WORKS)
811½ 12th Street)
Greeley, Colorado)
)

AUTHORITY NO. M 9255

CASE NO. 17829 Ins.

November 12, 1964

S T A T E M E N T

By the Commission:

On November 4, 1964, 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

Henry E. Zarlengo

Everett L. Bjelland

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,
this 12th day of November, 1964

rig copy

(Decision No. 64055)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
DELTA COUNTY CANNING COMPANY)
P.O. Box 75)
Delta, Colorado)
)
)

AUTHORITY NO. M 1156

CASE NO. 17796 Ins.

November 12, 1964

S T A T E M E N T

By the Commission:

On November 4, 1964, 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

Commissioners

Dated at Denver, Colorado,
this 12th day of November, 1964

(Decision No. 64056)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
J. B. SCHWARTZ DBA)
BEN'S RADIO AND TELEVISION SERVICE)
1425 Eaton Street)
Denver, Colorado 80214)
)
- - - - - - - - - - - - - - - - - -)

AUTHORITY NO. M 8646

CASE NO. 17803 Ins.

November 12, 1964

S T A T E M E N T

By the Commission:

On November 4, 1964, 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

Henry E. Zarlengo

Howard S. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 12th day of November, 1964

original

(Decision No. 64057)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF MR. FRED S. CLARK, MR. ELMER P. JUNGBLUTH AND MR. JEROME WIEBER ON BEHALF OF THEMSELVES AND OTHERS SIMILARLY SITUATED FOR AN ORDER AUTHORIZING PUBLIC SERVICE COMPANY OF COLORADO TO RENDER STREET LIGHTING SERVICE IN AN UNINCORPORATED AREA IN JEFFERSON COUNTY.	APPLICATION NO. 20819

November 12, 1964

Appearances: D. D. Cawelti, Esq., Denver, Colorado, for Public Service Company of Colorado;
J. M. McNulty, Denver, Colorado, of the Staff of the Commission.

S T A T E M E N T

By the Commission:

This is an application by Mr. Fred S. Clark and others, representing themselves and all other customers similarly situated, for an order authorizing Public Service Company of Colorado to install, operate and maintain street lighting service in an unincorporated area in Jefferson County, as shown on the map identified as Exhibit A attached to the application, and as hereinafter more fully described.

The matter was set for hearing, after due notice to interested parties, on November 9, 1964, at 1:30 o'clock P. M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, and was heard on a consolidated record with Applications No.. 20816, 20817, 20818, and 20820.

No petitions of intervention were filed prior to the hearing and no one appeared at the hearing in opposition to the application.

A petition for street lighting service addressed to Public

Service Company of Colorado (Public Service) was circulated among the residents of an area in which 157 customers now receive electric service. Of the 157 customers, signatures were obtained of 135, or a percentage of 86% of the total number of customers. Properly identified conformed copies of said petitions were submitted as Exhibit Nos. B-1 through B-8, respectively. The tariff of Public Service, providing for street lighting in unincorporated areas, states, among other things, that street lighting in an established area otherwise qualifying will be provided upon receipt by the Company of a petition from all electric customers within the area or upon an order or decision of this Commission directing street lighting service to be established in the area. Since 22 customers did not sign, the Company could not install street lights without an order of the Commission.

Principal spokesman for Applicants was Mr. Fred S. Clark. Mr. Clark testified no street lighting now exists in the area contemplated in this application. He stated that police protection was inadequate and that there had been incidents of thefts and vandalism which might have been prevented by adequate lighting. He also testified that adequate street lighting was essential from the standpoint of traffic safety, to help eliminate drag racing.

Also present in support of the application, though not testifying were Mr. and Mrs. Jerome Wieber, Mrs. Fred S. Clark, Mr. and Mrs. Elmer P. Jungbluth, Mrs. M. C. Borene, Mrs. J. J. Gogenola, Mrs. L. J. Dreiling, Mrs. J. A. Williams, Mrs. Wm. C. Stevenson, Mrs. A. E. Whitman, Otto Konrad, Jr., Clarence Gordon and Carol Gordon, who are residents of the area.

Mr. J. H. Ranniger, an engineer, in the Rate Department of Public Service Company of Colorado, testified the area met all requirements of the tariff conditions, except the number of signers. Upon an Order of this Commission, the Company is ready, willing and

able to install street lighting in the area. No construction contributions are required of electric customers and, as provided in the tariff, a charge of $0.45 per month per customer will be made. The engineering of the street lighting for the area has already been undertaken. It will require approximately 30 days to make the initial system operational. 7,000 lumen mercury vapor vertically operated, non-ornamental lights will be provided. Service will be furnished in accordance with tariff sheets, Colorado PUC No. 4-Electric, Eighth Revised Sheet No. 262, Third Revised Sheet No. 262A and Original Sheet No. 262B.

The proposed street lighting system was estimated to cost $3,861, which will be provided from internal funds of the Company.

F I N D I N G S

THE COMMISSION FINDS:

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

That it has jurisdiction of the subject matter of this application, and of the Public Service Company of Colorado.

That the preservation of the public peace, health and safety require the installation of a street lighting system in the area described in the Order to follow.

O R D E R

THE COMMISSION ORDERS:

That Public Service Company is hereby authorized and directed to install, operate and maintain a non-ornamental, mercury vapor street light system in accordance with the provisions of its Tariff, Colorado PUC No. 4-Electric, Eighth Revised Sheet No. 262, Third Revised Sheet No. 262A and Original Sheet No. 262B, now existing or as it may be changed under the rules of this Commission, or according to law.

That street lights, approximately 27 in number, shall be

installed as required in the area described as follows:

Beginning at the intersection of the center line of the service road south of 6th Avenue with the east lot lines extended of the lots east of Gray Court, south along said lot lines to the southeast corner of the lot numbered as 536-548 Gray Court, along the east lot line of the lot numbered as 5915 West 5th Avenue, across West 5th Avenue, to the southeast corner of the lot numbered as 5930 West 5th Avenue; thence west along the rear lot lines of the lots south of West 5th Avenue to the southwest corner of the lot numbered as 5970 West 5th Avenue; thence south along the east lot lines of the lots east of Harlan Street to the southeast corner of the lot numbered as 420 Harlan Street; thence west along the south lot line of said lot extended to the center line of Harlan Street; thence across Harlan Street to the southeast corner of the lot southwest of the intersection of West 5th Avenue and Harlan Street; thence west along the south lot line of said lot and the lot numbered as 6090 Ingalls Street across Ingalls Street and continuing along the south lot lines of the lots south of West 5th Avenue to the southwest corner of the lot numbered as 6150 West 5th Avenue; thence south to the southeast corner of the lot numbered as 490 Jay Street; thence west along the south lot line of said lot, across Jay Street, to the southeast corner of the lot numbered as 405 Jay Street; thence west to the southwest corner of said lot; thence south to the southeast corner of the lot numbered as 330 Kendall Street; thence west along the south lot line of said lot, across Kendall Street, to the southwest corner of the lot numbered as 340 Lamar Street; thence across Lamar Street to the southeast corner of the lot numbered as 345 Lamar Street; thence west along the south lot line of said lot and continuing along the south lot lines of the lots south of West 3rd Place to the southwest corner of the lot numbered as 6580 West 3rd Place; thence across Newland Street to the southeast corner of the lot numbered as 305 Newland Street; thence west to the southwest corner of said lot; thence north along the west lot lines of the lots west of Newland Street to the northeast corner of the lot numbered as 6600 West 4th Avenue; thence across West 4th Place to the southwest corner of the lot numbered as 6685 West 4th Place; thence north along the west lot line of said lot to the northwest corner thereof; thence west to the southwest corner of the lot numbered as 475 Newland Street; thence north along the west lot lines of said lot and the other lots west of Newland Street to the southwest corner of the lot numbered as 6660 West 6th Avenue; thence along the east lot line of said lot to the intersection with the center line of the service road south of West 6th Avenue; thence east to the point of beginning.

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 12th day of November, 1964.

mls

original

(Decision No. 64058)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF MR. HARRISON WELLMAN, MR. O. B. REDIGER AND MR. ROBERT MUGELE ON BEHALF OF THEMSELVES AND OTHERS SIMILARLY SITUATED FOR AN ORDER AUTHORIZING PUBLIC SERVICE COMPANY OF COLORADO TO RENDER STREET LIGHTING SERVICE IN AN UNINCORPORATED AREA IN JEFFERSON COUNTY.

APPLICATION NO. 20820

November 12, 1964

Appearances: D. D. Cawelti, Esq., Denver, Colorado, for Public Service Company of Colorado; J. M. McNulty, Denver, Colorado, of the Staff of the Commission.

S T A T E M E N T

By the Commission:

This is an application by Harrison Wellman and others, representing themselves and all other customers similarly situated, for an order authorizing Public Service Company of Colorado to install, operate and maintain street lighting service in an unincorporated area in Jefferson County, as shown on the map identified as Exhibit A attached to the application, and as hereinafter more fully described.

The matter was set for hearing, after due notice to interested parties, on November 9, 1964, at 1:30 o'clock P. M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, and was heard on a consolidated record with Applications No. 20816, 20817, 20818 and 20819.

No petitions of intervention were filed prior to the hearing and no one appeared at the hearing in opposition to the application.

A petition for street lighting service addressed to Public

Service Company of Colorado (Public Service) was circulated among the residents of an area in which 197 customers now receive electric service. Of the 197 customers, signatures were obtained of 169, or a percentage of 85.8% of the total number of customers. Properly identified conformed copies of said petitions were submitted as Exhibit Nos. B-1 through B-5, respectively. The tariff of Public Service, providing for street lighting in unincorporated areas, states, among other things, that street lighting in an established area otherwise qualifying will be provided upon receipt by the Company of a petition from all electric customers within the area or upon an order or decision of this Commission directing street lighting service to be established in the area. Since 28 customers did not sign, the Company could not install street lights without an order of the Commission.

Principal spokesman for Applicants was Mr. Robert Mugele. Mr. Mugele testified no street lighting now exists in the area contemplated in this application. He stated that police protection was inadequate and that there had been incidents of thefts and vandalism which might have been prevented by adequate lighting. He also testified that adequate street lighting was essential from the standpoint of traffic safety, to help eliminate drag racing.

Also present in support of the application, though not testifying were Sharon Mugele, I. Bernice Clark, and Mamie Lung, who are residents of the area.

Mr. J. H. Ranniger, an engineer, in the Rate Department of Public Service Company of Colorado, testified the area met all requirements of the tariff conditions, except the number of signers. Upon an Order of this Commission, the Company is ready, willing and able to install street lighting in the area. No construction contributions are required of electric customers and, as provided in the tariff, a charge of $0.45 per month per customer will be made. The engineering of the street lighting for the area has already been undertaken. It will re-

quire approximately 30 days to make the initial system operational. 7,000 lumen mercury vapor vertically operated, non-ornamental lights will be provided. Service will be furnished in accordance with tariff sheets, Colorado PUC No. 4-Electric, Eighth Revised Sheet No. 262, Third Revised Sheet No. 262A and Original Sheet No. 262B.

The proposed street lighting system was estimated to cost $4,356, which will be provided from internal funds of the Company.

F I N D I N G S

THE COMMISSION FINDS:

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

That it has jurisdiction of the subject matter of this application, and of the Public Service Company of Colorado.

That the preservation of the public peace, health and safety require the installation of a street lighting system in the area described in the Order to follow.

O R D E R

THE COMMISSION ORDERS:

That Public Service Company of Colorado is hereby authorized and directed to install, operate and maintain a non-ornamental, mercury vapor street light system in accordance with the provisions of its Tariff, Colorado PUC No. 4-Electric, Eighth Revised Sheet No. 262, Third Revised Sheet No. 262A and Original Sheet No. 262B, now existing or as it may be changed under the rules of this Commission, or according to law.

That street lights, approximately 30 in number, shall be installed as required in the area described as follows:

> Beginning at the intersection of the center line of West 2nd Avenue with the rear lot lines extended of the lots east of Pierce Street; thence west along said center line to the intersection with a line approximately 135 feet east of and parallel to Teller Street; thence south along said line to the intersection with the center

line of West 1st Avenue; thence east along said center line to the intersection with the east lot line extended of the lot at the southeast corner of the intersection of West 1st Avenue and Teller Street; thence south along said east lot line to the southeast corner of said lot; thence west to the southwest corner of said lot, across Teller Street, and along the south lot lines of the lots south of West 1st Avenue to the southwest corner of the lot numbered as 7290 West 1st Avenue; thence north along the west line of said lot, across West 1st Avenue, along the west lot line of the lot numbered as 7227 West 1st Avenue to the northwest corner of said lot; thence east to the intersection with the rear lot lines of the lots west of Teller Street; thence north along said rear lot lines to the southwest corner of the lot numbered as 311 Teller Street; thence southwesterly along the southeasterly lot line of the lot numbered as 280-290 Upham Street, across Upham Street and continuing along the southerly lot lines of the lots south of West 3rd Avenue, to the southwest corner of the lot numbered as 7380-82 West 3rd Avenue; thence north along the west lot line of said lot, across West 3rd Avenue, along the west lot lines of the lots numbered as 7375-85 West 3rd Avenue and 7390 West 3rd Place, across West 3rd Place, and along the west lot line of the lot numbered as 7395 West 3rd Place to the northwest corner thereof; thence east along the rear lot lines of the lots north of West 3rd Place to the northeast corner of the lot numbered as 7245 West 3rd Place; thence north along the rear lot lines of the lots west of Teller Street to the northwest corner of the lot at the northwest corner of the intersection of Teller Street and West 4th Avenue (numbered as 401 Teller Street); thence east along the north lot line of said lot and the lot numbered as 7185 West 4th Avenue to the northeast corner thereof; thence north along the west lot lines of the lots west of Saulsbury Street extended to the intersection with the center line of the access road south of 6th Avenue; thence east along said center line to the intersection with the east lot lines extended of the lots east of Saulsbury Street; thence south along said rear lot lines to the northwest corner of the lot numbered as 7005 West 5th Avenue; thence east along the rear lot lines of the lots north of West 5th Avenue to the northeast corner of the lot numbered as 6805 West 5th Avenue; across Pierce Street to the west line of the lot numbered as 6781 West 5th Place; thence north, east and south around said lot to the southeast corner thereof, across West 5th Place and south along the east lot lines of the lots east of Pierce Street, across West 4th Place and West 3rd Place to the point of beginning.

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 12th day of November, 1964.

mls

CANCELLATION--COMMON CARRIER

(Decision No. 64059)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF ARTHUR E. BRANCH, DOING BUSINESS AS, "ART'S TRASH SERVICE", 2402 ADRIAN, PUEBLO, COLORADO.

PUC NO. 3942

November 19, 1964

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Arthur E. Branch, doing business as, "Art's Trash Service", Pueblo, Colorado

requesting that Certificate of Public Convenience and Necessity No. 3942 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. 3942 heretofore issued to Arthur E. Branch, doing business as, "Art's Trash Service", Pueblo, Colorado

be, and the same is hereby, declared cancelled effective October 28, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard S. Bjelland
Ralph L. Carlson
Commissioners

Dated at Denver, Colorado,
this 19th day of November, 19 64.

hc

CANCELLATION--COMMON CARRIER

(Decision No. 64060)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF ELDRED RAHJES, PHILLIPSBURG, KANSAS.

PUC NO. 6136-I

November 19, 1964

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Eldred Rahjes, Phillipsburg, Kansas

requesting that Certificate of Public Convenience and Necessity No. 6136-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. 6136-I heretofore issued to Eldred Rehjes, Phillipsburg, Kansas

be, and the same is hereby, declared cancelled effective November 14, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard L. Bjelland

Beatrice C. Horton

Commissioners

Dated at Denver, Colorado,
this 19th day of November, 1964.

hc

SUSPENSION ORDER--PRIVATE CARRIER (Decision No 64061)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
THE GOLDEN CYCLE CORPORATION,)
P. O. BOX 86, COLORADO SPRINGS,) PERMIT NO. B-4041
COLORADO.)
)

November 19, 1964

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 further suspended for six months from October 29, 1964.

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 are hereby, authorized to further suspend their operations under Permit No. B-4041 until April 29, 1965.

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

Henry E. Zarlengo
Howard L. Bjelland
Ralph C. Hanson
Commissioners

Dated at Denver, Colorado,
this 19th day of November, 1964.

hc

SUSPENSION ORDER--PRIVATE CARRIER (Decision No 64062)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

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

PERMIT NO. B-5765

November 19, 1964

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 further suspended for six months from October 26, 1964.

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 further suspend his operations under Permit No. B-5765 until April 26, 1965.

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

Henry E. Zarlengo

Howard S. Bjelland

Commissioners

Dated at Denver, Colorado,
this 19th day of November, 19 64.

hc

CANCELLATION--COMMON CARRIER

(Decision No. 64063)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
DON SHEETS, 2110 6TH AVENUE,)
CANYON, TEXAS.) PUC NO. 2975-I
)
)
)

November 19, 1964

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Don Sheets, Canyon, Texas requesting that Certificate of Public Convenience and Necessity No. 2975-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. 2975-I heretofore issued to Don Sheets, Canyon, Texas be, and the same is hereby, declared cancelled effective October 25, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 19th day of November, 19 64.

hc

CANCELLATION--COMMON CARRIER

(Decision No. 64064)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
JUAN C. BORREGO, P. O. BOX 3,) PUC NO. 5775-I
SANTA CRUZ, NEW MEXICO.)
)
)
- - - - - - - - - - - - - - - - - -)

November 19, 1964

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Juan C. Borrego, Santa Cruz, New Mexico

requesting that Certificate of Public Convenience and Necessity No. 5775-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. 5775-I heretofore issued to Juan C. Borrego, Santa Cruz, New Mexico

be, and the same is hereby, declared cancelled effective November 1, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Edward S. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,
this 19th day of November, 19 64.

hc

CANCELLATION--COMMON CARRIER

(Decision No. 64065)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
METAL TRIMS, INCORPORATED, P. O.) PUC NO. 4289-I
BOX 632, JACKSON, MISSISSIPPI.)

November 19, 1964

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Metal Trims, Inc., Jackson, Mississippi requesting that Certificate of Public Convenience and Necessity No. 4289-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. 4289-I heretofore issued to Metal Trims, Inc., Jackson, Mississippi be, and the same is hereby, declared cancelled effective October 31, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard S. Bjelland
Ralph L. Carr
Commissioners

Dated at Denver, Colorado,
this 19th day of November, 19 64.

hc

SUSPENSION ORDER--PRIVATE CARRIER (Decision No 64066)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF CLINTON R. CLIFT, P. O. BOX 443, NUCLA, COLORADO.

PERMIT NO. B-4705

November 19, 1964

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-4705 be further suspended for six months from November 3, 1964.

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 Clinton R. Clift, Nucla, Colorado

be, and is hereby, authorized to further suspend his operations under Permit No. B-4705 until May 3, 1965.

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

Henry E. Zarlengo

Howard S. Bjelland

Commissioners

Dated at Denver, Colorado,
this 19th day of November, 19 64.

hc

SUSPENSION ORDER--PRIVATE CARRIER (Decision No 64067)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
VERNON LEHR, 2647 CENTRAL DRIVE,)
GRAND JUNCTION, COLORADO.) PERMIT NO. B-5521
)
)
)

November 19, 1964

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-5521 be further suspended for six months from November 17, 1964.

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 Vernon Lehr, Grand Junction, Colorado

be, and is hereby, authorized to further suspend his operations under Permit No. B-5521 until May 17, 1965.

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

Henry E. Zarlengo

Harold D. Bjelland

Ruth C. Horton

Commissioners

Dated at Denver, Colorado,
this 19th day of November, 19 64.

hc

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 64068)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
RICHARD KENNEDY, P. O. BOX 3273, NORTHSIDE POST OFFICE, COLORADO SPRINGS, COLORADO.)
)
)

PERMIT NO. B-6605

November 19, 1964

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-6605 be suspended for six months from October 22, 1964.

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 Richard Kennedy, Colorado Springs, Colorado

be, and is hereby, authorized to suspend his operations under Permit No. B-6605 until April 22, 1965.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 19th day of November, 19 64.

hc

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 64069)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
ARNOLD S. DAVIS, 1360 NORTH 18TH)
STREET, GRAND JUNCTION, COLO-)
RADO.)
)

PERMIT NO. B-6608

November 17, 1964

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-6608 be suspended for six months from November 6, 1964.

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 S. Davis, Grand Junction, Colorado

be, and is hereby, authorized to suspend his operations under Permit No. B-6608 until May 6, 1965.

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

Henry E. Zarlengo
Howard L. Bijlhout
Robert G. Hilton
Commissioners

Dated at Denver, Colorado,
this 19th day of November, 19 64.

hc

original

(Decision No. 64070)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF ISSUANCE OF TEMPORARY)
CERTIFICATES OF PUBLIC CONVENIENCE AND)
NECESSITY UNDER CHAPTER 115, SESSION) APPLICATION NO. 20839
LAWS OF COLORADO, 1953, FOR EMERGENCY)
MOVEMENT OF SUGAR BEETS.)

November 10, 1964

STATEMENT AND FINDINGS OF FACT

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 sugar beets in Weld County, Colorado, and that said emergency will probably continue for a period of ninety (90) days.

Request is made for an Order of the Commission relative to issuance of temporary certificates of public convenience and necessity for the seasonal transportation of said crop in Weld County, Colorado.

The Commission states and finds that an emergency exists because of the shortage in certificated trucks for transportation of sugar beets in Weld County, Colorado, and that public convenience and necessity require that temporary certificates should issue for the operation of motor vehicles for transportation of sugar beet crop, as provided by Chapter 115, Article 9, Section 4, Session Laws of 1953, said certificates to be effective for a period of ninety (90) days, commencing November 10, 1964.

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 transportation of sugar beets in Weld County, Colorado, said certificates to be effective Nobember 10, 1964, and to continue in force for a period of ninety (90) days thereafter.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 10th day of November, 1964.

mls

Original

(Decision No.64071)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF B & M SERVICE, INC., BOX 188, RANGELY, COLORADO, FOR A WAIVER OF RULE 14 (b) OF THE COMMISSION'S RULES AND REGULATIONS GOVERNING COMMON CARRIERS BY MOTOR VEHICLE FOR HIRE, RE LEASE OR RENTAL OF EQUIPMENT, IN THE CONDUCT OF OPERATIONS UNDER PUC NO. 4449.	APPLICATION NO. 20496-Waiver
IN THE MATTER OF THE APPLICATION OF B & M SERVICE, INC., BOX 188, RANGELY, COLORADO, FOR A WAIVER OF RULE 12 (b) OF THE COMMISSION'S RULES AND REGULATIONS GOVERNING PRIVATE CARRIERS BY MOTOR VEHICLE FOR HIRE, RE LEASE OR RENTAL OF EQUIPMENT, IN THE CONDUCT OF OPERATIONS UNDER PERMIT NO. B-3897.	APPLICATION NO. 20497-PP-Waiver
IN THE MATTER OF THE APPLICATION OF JEFFRIES-EAVES, INC., 504 PATTERSON BUILDING, DENVER, COLORADO, FOR WAIVER OF RULE 12 (b) OF THE COMMISSION'S RULES AND REGULATIONS GOVERNING PRIVATE CARRIERS BY MOTOR VEHICLE FOR HIRE, RE LEASE OR RENTAL OF EQUIPMENT, IN THE CONDUCT OF OPERATIONS UNDER PERMIT NO. B-819.	APPLICATION NO. 20498-PP-Waiver
IN THE MATTER OF THE APPLICATION OF JOHN BUNNING TRANSFER COMPANY, INC., BOX 128, ROCK SPRINGS, WYOMING, FOR WAIVER OF RULE 12 (b) OF THE COMMISSION'S RULES AND REGULATIONS GOVERNING PRIVATE CARRIERS BY MOTOR VEHICLE FOR HIRE, RE LEASE OR RENTAL OF EQUIPMENT, IN THE CONDUCT OF OPERATIONS UNDER PERMIT NO. B-861.	APPLICATION NO. 20499-PP-Waiver
IN THE MATTER OF THE APPLICATION OF H. J. JEFFRIES TRUCK LINE, INC., 4740 SHIELDS, OKLAHOMA CITY, OKLAHOMA, FOR WAIVER OF RULE 12 (b) OF THE COMMISSION'S RULES AND REGULATIONS GOVERNING PRIVATE CARRIERS BY MOTOR VEHICLE FOR HIRE, RE LEASE OR RENTAL OF EQUIPMENT, IN THE CONDUCT OF OPERATIONS UNDER PERMIT NO. B-752.	APPLICATION NO. 20500-PP-Waiver

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November 13, 1964

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Appearances: John H. Lewis, Esq., Denver, Colorado, for Applicants; Joseph F. Nigro, Esq., Denver, Colorado, for Weicker Transfer & Storage Co., Inc., Goldstein Transportation & Storage Co., Duffy Moving & Storage Co.; Chris Sorenson, Longmont, Colorado, for copy of Order.

S T A T E M E N T

By the Commission:

By Decision No. 63869, dated October 16, 1964, the Commission denied the above-styled applications.

On November 4, 1964, "Petition for Rehearing" was filed in said matters by B & M Service, Inc., Jeffries-Eaves, Inc., John Bunning Transfer Company, Inc., and H. J. Jeffries Truck Line, Inc., by their Attorneys.

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

F I N D I N G S

THE COMMISSION FINDS:

That Petition for Rehearing filed herein should be denied.

O R D E R

THE COMMISSION ORDERS:

That Petition for Rehearing in the above-styled matters, filed by B & M Service, Inc., Jeffries-Eaves, Inc., John Bunning Transfer Company, Inc., and H. J. Jeffries Truck Line, Inc., by their Attorneys, be, and the same hereby is, denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

That Petition for Rehearing should be granted.

Chairman

Dated at Denver, Colorado,
this 13th day of November, 1964.

original

(Decision No. 64072)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF HOLY CROSS ELECTRIC ASSOCIATION, INC., GLENWOOD SPRINGS, COLORADO, FOR AN EXTENSION OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR TERRITORY LOCATED IN GARFIELD, EAGLE, PITKIN, AND GUNNISON COUNTIES, STATE OF COLORADO.

APPLICATION NO. 20022-Extension
SUPPLEMENTAL ORDER

November 13, 1964

Appearances: W. E. Parkison, Esq., Glenwood Springs, Colorado, and Raphael J. Moses, Esq., Boulder, Colorado, for Applicant;
Lee, Bryans, Kelly & Stansfield, Esqs., Denver, Colorado, by Bryant O'Donnell, Esq., and Richard W. Bryans, Esq., for Public Service Company of Colorado;
Paul M. Brown, 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:

On October 15, 1964, the Commission entered its Decision No. 63781 in the above-styled application.

On November 4, 1964, "Petition for Rehearing" was filed in said matter by Public Service Company of Colorado, by its Attorneys.

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

F I N D I N G S

THE COMMISSION FINDS:

That Petition for Rehearing filed herein by Public Service Company of Colorado should be denied.

O R D E R

THE COMMISSION ORDERS:

That Petition for Rehearing in the above-styled matter, filed by Public Service Company of Colorado, be, and the same hereby is, denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

The Petition for Rehearing should be granted. Among other reasons, the Decision is not in accord with the law as laid down by the Colorado Supreme Court in Public Service Company vs. the PUC, 142 Colo. 135, 350 p. 2nd, 553.

Chairman

Dated at Denver, Colorado,
this 13th day of November, 1964.
mls

Original

(Decision No. 64073)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF SEDGWICK GRAIN COMPANY, A CORPORATION, P. O. BOX 6, SEDGWICK, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 20835-PP

November 13, 1964

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the above-styled application, Applicant herein sought authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sugar beet samples, from Ovid, Colorado, to Crook, Colorado, and return, and from Ovid, Colorado, to Julesburg, Colorado, and return.

Said application was regularly set for hearing before the Commission, at the Court House, Greeley, Colorado, November 18, 1964, at ten o'clock A.M., due notice thereof being forwarded to all parties in interest.

The Commission is now in receipt of a communication from Applicant herein, stating Applicant no longer desires to prosecute said application, and requesting dismissal thereof.

The Commission states and finds that said request should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That hearing on Application No. 20835-PP, set for November 18, 1964, at Greeley, Colorado, be, and the same hereby is, vacated.

That said Application No. 20835-PP be, and the same hereby is, dismissed, upon request of Applicant herein.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 13th day of November, 1964.

Original

(Decision No.64074)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF PAUL A. ROYAL, 601 LIPAN STREET, DENVER, COLORADO.	PUC NO. 2115
RE MOTOR VEHICLE OPERATIONS OF PAUL A. ROYAL, DOING BUSINESS AS "ACCURATE DELIVERY SERVICE," 601 LIPAN STREET, DENVER, COLORADO.	PUC NO. 3450

November 17, 1964

STATEMENT AND FINDINGS OF FACT

By the Commission:

The Commission is in receipt of a communication from Paul A. Royal, owner and operator of PUC No. 2115 and PUC No. 3450, requesting that said operating rights be consolidated under PUC No. 3450.

The Commission states and finds that said request should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That PUC No. 2115 and PUC No. 3450, owned and operated by Paul A. Royal, be, and they hereby are consolidated, said consolidated operation to be known as "PUC No. 3450," owned and operated by said Paul A. Royal, doing business as "Accurate Delivery Service," Denver, 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 17th day of November, 1964.

et.

original

(Decision No. 64075)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
EDDIE B. CROMER, 430 NORTH)
SHERWOOD, FORT COLLINS, COLORADO) PERMIT NO. B-6617

November 17, 1964

STATEMENT AND FINDINGS OF FACT

By the Commission:

The Commission is in receipt of a communication from Eddie B. Cromer, Fort Collins, Colorado, owner and operator of Permit No. B-6617, requesting authority to do business under the trade name and style: "Trap Creek Lumber Sales," in the conduct of operations under said Permit No. B-6617.

The Commission states and 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 Permit No. B-6617 to be owned and operated by:

"Eddie B. Cromer,
doing business as
'Trap Creek Lumber Sales,'"

in lieu of:

"Eddie B. Cromer."

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 17th day of November, 1964.

et

Original

(Decision No. 64076)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF HIGHLINE ELECTRIC ASSOCIATION, A COLORADO CORPORATION, HOLYOKE, COLORADO, FOR AN ORDER AUTHORIZING IT TO SERVE THREE ELECTRIC CONSUMERS LOCATED IN THE S½ OF THE SE¼ OF SECTION 18, TOWNSHIP 8 NORTH, RANGE 52 WEST, AND FOR AN ORDER DETERMINING THAT CERTAIN OPERATING RULES SHALL APPLY IN THE "NON-EXCLUSIVE" (APPENDIX "C") AREA NEAR STERLING, COLORADO.	APPLICATION NO. 20777
IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO, 550 15TH STREET, DENVER, COLORADO, TO RENDER ELECTRIC SERVICE TO THE SKYLINE HEIGHTS SUBDIVISION, LOCATED IN THE E½ OF THE SE¼ OF SECTION 18, TOWNSHIP 8 NORTH, RANGE 52 WEST, 6TH P. M., LOGAN COUNTY, COLORADO, AND TO THE PROPERTY OF HARRY E. MILLER, LOCATED IN THE E½ OF THE SW¼ OF THE SE¼ OF SECTION 18, TOWNSHIP 8 NORTH, RANGE 52 WEST, 6TH P. M., LOGAN COUNTY, COLORADO.	APPLICATION NO. 20797

November 20, 1964

Appearances: Lee, Bryans, Kelly & Stansfield, Esqs., Denver, Colorado, by Bryant O'Donnell, Esq., for Public Service Company of Colorado;
Arnold and Ross, Esqs., Sterling, Colorado, by Baxter W. Arnold, Esq., and
John P. Thompson, Esq., Denver, Colorado, for Highline Electric Association;
J. M. McNulty, Denver, Colorado, of the Staff of the Commission.

STATEMENT AND FINDINGS OF FACT

By the Commission:

On October 7, 1964, Highline Electric Association, a Colo-

rado corporation, of Holyoke, Colorado, filed an Application (20777) with this Commission seeking authority to render electric service to the residence of Harry E. Miller, located in the $W\frac{1}{2}SE\frac{1}{4}$ of Section 18, Township 8 North, Range 52 West, Logan County, Colorado. On October 9, 1964, the Commission set said matter for hearing on October 23, 1964. On October 13, 1964, Public Service Company of Colorado, a Colorado corporation, with main offices located at 550 15th Street, Denver, Colorado, filed a protest to the application of Highline Electric Association, alleging therein that Highline Electric Association, hereinafter referred to as Highline, did not have a request for service from Harry E. Miller and that the said Harry E. Miller had requested electric service from Public Service Company of Colorado.

Also, on October 13, 1964, Public Service Company of Colorado, hereinafter referred to as Public Service, filed an application (20797) with this Commission, seeking authority from the Commission to render service not only to the said Harry E. Miller, but also to the entire Skyline Heights Subdivision located in the $SE\frac{1}{4}SE\frac{1}{4}$ of the said Section 18, Township 8 North, Range 52 West, 6th P. M., Logan County, Colorado. On October 21, 1964, Highline filed a protest to the said application of Public Service.

Both matters came on for hearing before the Commission, after due notice to all interested parties, on Friday, October 23, 1964. At that time, there being no objection thereto, Application No. 20777 and Application No. 20797 were consolidated for hearing. After the testimony of Carl C. Johnston, the owner of the said Skyline Heights Subdivision, had been taken, the matter was continued until Thursday, November 12, 1964, at 10:00 o'clock A. M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado.

On November 2, 1964, Highline filed an amended application in Application No. 20777, seeking therein to broaden the issues to in-

clude the proposed adoption of certain operating rules to govern the extension of lines by both Highline and Public Service in the so-called "non-exclusive" area, as defined in Decision No. 59014 of this Commission.

The matters again came on for hearing as set by the Commission on November 12, 1964. At that time, counsel for Public Service objected to the filing of the amended application. The Commissioner presiding at the hearing sustained such objection and permission to file the amended application of Highline was denied. Counsel for Public Service also moved to quash a subpoena duces tecum directed to Public Service for the production of specified documents on the grounds that the material sought was relevant only as to the issues raised in the amended application of Highline. The motion to quash was sustained by the presiding Commissioner and the said subpoena was quashed.

By agreement of Highline and Public Service, with the approval of the presiding Commissioner, the applications of each company were orally amended to include in each application a request for authority to render service to: (a) Carl C. Johnston and Morris L. McLavey for three phase electric service to an irrigation well, located in Tract 3 of the $SE\frac{1}{4}SE\frac{1}{4}$ of the said Section 18; (b) Carl C. Johnston for electric service to a new home to be located in Tract 1 of the $S\frac{1}{2}SE\frac{1}{4}$ of said Section 18, said tract being the tract shown on Highline's Exhibit A as the Johnston 20 acres, and located to the extreme west of the 80 acre tract depicted in said Exhibit A; (c) Carl C. Johnston for electric service to a home to be located in Tract 10, Skyline Heights Subdivision.

The 80 acres comprising the $S\frac{1}{2}SE\frac{1}{4}$, Section 18, Township 8 North, Range 52 West, 6th P. M., in Logan County, Colorado, is depicted in Exhibit A, introduced in evidence by Highline. In order that there will be no confusion as to tract descriptions referred to in the balance of this Order, it appears advisable to designate and describe the tracts as the same are set forth in Highline Exhibit A. The westerly 20 acres

of the 80 acre tract is designated as Tract No. 1 or the Johnston 20 acres. Proceeding toward the east, the next 20 acres is designated as Tract No. 2 or the Miller 20 acres. The next tract to the east is designated as McLaveys Tract No. 3 and apparently contains between 12 to 15 acres. The balance of the 80 acre tract, being the easterly most part thereof, has been subdivided into Tracts 4 to 10, inclusive, and said Tracts 4 to 10, inclusive, have been platted as the Skyline Heights Subdivision.

On July 30, 1962, this Commission entered its Decision No. 59014 authorizing Public Service to render electric service to a so-called "exclusive" area in the northeastern part of Colorado, likewise authorizing Highline to render electric service in a so-called "ex-clusive" area in northeastern Colorado, and also authorizing both of said utilities to render electric service in certain areas designated as "non-exclusive" areas. All of the services for which authority is sought herein are located in an 80 acre tract in the so-called "non-exclusive" territory.

The applications herein all deal with the rendition of electric service to specified customers. All of these customers are located within the $S\frac{1}{2}SE\frac{1}{4}$ of said Section 18, Township 8, North, Range 52 West, 6th P. M., in Logan County, Colorado. To simplify the issues herein, despite the technical limitations of the applications, we elect to treat the proceeding herein as a proceeding simply to determine which utility shall render service in the specified tract areas comprising the $S\frac{1}{2}SE\frac{1}{4}$ of said Section 18. In view of the fact that service in the same area is involved in both applications, we have elected to write a singe Order covering both applications, rather than to enter separate Orders.

Carl C. Johnston, Harry E. Miller, Fred Cooper, and Everett Chrisp testified as witnesses for Highline. Highline also introduced in evidence Exhibits A to L, inclusive. J. K. Fuller testified as a

witness for Public Service and Public Service also introduced in evidence Exhibits 1 to 15, inclusive. Permission was given to Highline to file an official copy of the Skyline Heights Subdivision plat by no later than November 17, 1964. After oral argument by counsel, the Commission took the matters under advisement.

Highline Electric Association is a rural electric cooperative association, a Colorado corporation, and is a public utility engaged in the business of purchasing, acquiring, transmitting, distributing, furnishing, and selling electricity to its members and non-member consumers from its distribution lines located in the Counties of Logan, Morgan, Phillips, Sedgwick, Washington, Weld, and Yuma, all in the State of Colorado. Highline now has adequate sources of electrical power and energy, is adequately financed, staffed with experienced personnel, and is ready, willing, and able to render electric service to consumers as a public utility subject to the jurisdiction of this Commission.

Public Service Company of Colorado is an investor owned utility subject to the jurisdiction of this Commission, rendering electric service to consumers throughout a large part of the State of Colorado and, as to this particular proceeding, specifically in the County of Logan, State of Colorado. Public Service has adequate sources of electrical power and energy, is adequately financed, is staffed by experienced personnel, and is likewise ready, willing and able to render electric service to consumers in the State of Colorado, again under the jurisdiction of this Commission.

We specifically find that both Highline Electric Association and Public Service Company of Colorado are qualified as public utilities to render electric service to consumers in the area here in question.

As we have previously stated, this Commission, on July 30, 1962, entered its Decision No. 59014, in effect allocating specified service areas to each utility and providing for a joint area of ser-

vice described in said Order as "non-exclusive" territory. In said Order, the Commission included as part of the territory allocated to Public Service, Section 17, lying immediately to the east of the area here in question and Section 19, lying immediately to the south. In other words, the $S\frac{1}{2}SE\frac{1}{4}$ of said Section 18 is contiguous to the so-called "exclusive" service area of Public Service, both on the east and south. The nearest territory allocated on the so-called "exclusive" basis to Highline is at least two miles away.

Testimony introduced at the hearing established that Harry E. Miller, although originally applying for service to Highline, now wishes service from Public Service. On the other hand, Carl C. Johnston, who had originally applied for at least part of his electric service from Public Service, now wishes all of his electric service to come from Highline. In the determination of matters such as these presently before the Commission, consumer preference is one factor, among many, to which the Commission gives consideration. In this case, considering all the testimony pertaining to applications for service, withdrawal of application of service, and petty bickering between individuals, the Commission finds that the criterion of customer preference is entitled to little consideration in this proceeding.

A further factor entitled to consideration is the relative proximity of existing distribution lines of the two utilities. From a regulatory standpoint, it is wise to provide that the nearest utility should serve in order that the total investment which eventually must be paid for by consumers be minimized.

In the instant case, however, both utilities have lines so near that there is little difference in the cost of the necessary construction required to render electric service. To a limited degree, however, we have given consideration of this factor in that the division of territory which we herein provide for will allow for the rendition of electric service at close to a minimum cost.

We have previously stated that the territory here in question is contiguous to the so-called "exclusive" territory of Public Service. Since the rendition of Decision No. 59014, Public Service has constructed a distribution line from the northeast corner of Section 18 to the southeast corner of Section 18, and thence half a mile south to connect with an existing distribution line of Public Service. This line also connects with another distribution line of Public Service at the northeast corner of Section 18. The line was constructed to render electric service to customers in the so-called "exclusive" area allocated by the Commission to Public Service. This line duplicates a distribution line of Highline which extends southerly from the northeast corner of Section 18 and from which Highline renders electric service on a "frozen" basis to perhaps 10 or 12 consumers located in the "exclusive" area of Public Service. It would appear desirable that at some time in the future Highline and Public Service should negotiate concerning the possibility that Highline might be willing to sell this particular distribution line to Public Service. The Commission, in entering Orders providing for the rendition of service to electric consumers located in the "non-exclusive" area, or joint area, must consider the necessity of preventing future duplication of facilities as well as the desirability of encouraging elimination of past duplication.

In the instant case, it appears advisable and the Commission finds that Public Service Company of Colorado should be authorized to render electric service to consumers located within the Skyline Heights Subdivision, consisting of Tracts 4 to 10, inclusive, as shown on Highline Exhibit A. The location of the distribution line of Public Service along the County road to the east is such that Public Service can render direct service to said tracts from the rear of the lots which appears to be a factor desirable in the mind of the subdivider. Public Service can also render electric service to Tracts

4 to 6, inclusive, by extending its present single phase distribution line from the south along the westerly boundary of said Tracts 4, 5, and 6. All of such construction can be performed at minimum cost because of the present location of the Public Service lines. Whether or not the property owner or owners would be willing to give Public Service rights-of-way for such service from the rear of Lots 4, 5, and 6 would be a matter for the property owners involved. If they should not be so willing, Public Service, of course, could render service from a line constructed along the road right-of-way designated as Skyline Drive on Highline Exhibit A. The further effect of allowing Public Service to render electric service to this Subdivision will be to minimize the load on the duplicate line of Highline heretofore referred to as extending into the so-called "exclusive" area of Public Service, and to encourage the ultimate disposition of such line by Highline to Public Service.

The Commission further finds that Highline Electric Association should be authorized to render electric service in the balance of the said 80 acre tract, consisting of Tracts Nos. 1, 2, and 3, as previously so designated. Highline is already rendering electric service to a pump in the northwest corner of Tract No. 2, and has a three phase distribution line running along the north boundary line of the said 80 acre tract from which service can be given to irrigation pumps. In addition, Highline has a single phase distribution line along the southerly boundary line of said 80 acre tract. Highline can furnish service from either line in such a manner as to be most economical and also in such a manner as to comply with the preferences of the consumer as to the direction from which the consumer desires service.

The Commission specifically finds that public convenience and necessity require that Public Service Company of Colorado be authorized to render electric service in Skyline Heights Subdivision and that Highline Electric Association be authorized to render electric service

in the balance of the S½SE¼ of Section 18, Township 8 North, Range 52 West, 6th P. M., all in Logan County, Colorado.

O R D E R

THE COMMISSION ORDERS:

1. That Public Service Company of Colorado be, and hereby is, authorized to render electric service in Skyline Heights Subdivision, said Subdivision being located in the S½SW¼ of Section 18, Township 8 North, Range 52 West, 6th P. M., all in Logan County, Colorado.

2. That Highline Electric Association be, and hereby is, authorized to render electric service in the balance of the S½SW¼ of Section 18, Township 8 North, Range 52 West, 6th P. M., all in Logan County, Colorado.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

CHAIRMAN HENRY E. ZARLENGO NECESSARILY ABSENT AND NOT PARTICIPATING..

Dated at Denver, Colorado,
this 20th day of November, 1964.

mls

(Decision No. 64077)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF MR. RICHARD STARKEY, MR. AARON TOBISKA AND MRS. EDYTH M. SCHUYLER ON BEHALF OF THEMSELVES AND OTHERS SIMILARLY SITUATED FOR AN ORDER AUTHORIZING PUBLIC SERVICE COMPANY OF COLORADO TO RENDER STREET LIGHTING SERVICE IN AN UNINCORPORATED AREA IN JEFFERSON COUNTY.

APPLICATION NO. 20821

November 18, 1964

Appearances: D. D. Cawelti, Esq., Denver, Colorado, for Public Service Company of Colorado;
Aaron Tobiska, Lakewood, Colorado, for Applicants;
Mrs. Maxine Todd, Lakewood, Colorado, pro se;
Mr. Fred Hausand, Lakewood, Colorado, pro se;
J. M. McNulty, Denver, Colorado, of the Staff of the Commission.

S T A T E M E N T

By the Commission:

This is an application by Mr. Richard Starkey and others, representing themselves and other customers similarly situated, for an order authorizing Public Service Company of Colorado to install, operate and maintain street lighting service in an unincorporated area in Jefferson County, as shown on the map identified as Exhibit A attached to the application, and as hereinafter more fully described.

The matter was set for hearing, after due notice to interested parties, on November 9, 1964, at 1:30 o'clock P.M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado.

A Petition for street lighting service addressed to Public Service Company of Colorado (Public Service) was circulated among the customers of the area in which 213 customers now receive electric

service. Of the 213 customers, valid signatures were obtained of 171, or a percentage of 80% of the total number of customers. Twenty-six refused to sign and sixteen were not contacted. Properly identified conformed copies of said petitions were submitted as Exhibits Nos. B-1 through B-7 respectively. The tariff of Public Service, providing for street lighting in unincorporated areas, states, among other things, that street lighting in an established area otherwise qualifying will be provided upon receipt by the Company of a petition from all electric customers within the area or upon an order or decision of this Commission directing street lighting service to be established in the area. Since 42 customers did not sign, the Company could not install street lights without an order of the Commission.

Principal spokesman for Applicants was Mr. Tobiska. Mr. Tobiska testified no street lighting now exists in the area contemplated in this application. He stated that police protection was inadequate; that there had been incidents of theft and vandalism which might have been prevented by adequate lighting. He also testified that adequate street lighting was essential from the standpoint of traffic safety. Mr. E. M. Cross also testified in support of the application and he stated that there were no sidewalks in the area and in addition an irrigation ditch constituted an additional hazard that he believed would be minimized with street lighting. Others appeared in support of the application but did not testify.

Several protestants also appeared at the hearing and Mrs. Maxine Todd and Mr. Fred Hausand testified in opposition to the application. The gist of the testimony by the Protestants was to the effect that while they were not against street lighting, they objected to the monthly charge and believed that each individual should have a choice rather than having to go along with the majority. There was also testimony to the effect that due to the commercial installations adjoining this area, there was no need for street lights because of the

lighting that was received from these areas. However, it is evident that the benefits from this type of lighting is limited and only effects the area immediately adjacent to these installations.

One other protestant in opposition to the present application lives in an area that has been excluded because street lights are to be obtained in this particular area through an agreement with the Public Service Company and the Alameda Water and Sanitation District. The area that has been excluded because of the lighting to be furnished by the Alameda District includes one lot designated as 195 South Hoyt, and the area including the east $\frac{1}{2}$ of the block between West First Avenue and West Second Avenue and between Holland and Hoyt Streets; and the block between West First and West Second Avenue between Garland and Holland Streets. This particular protestant is located in this latter area. The people in the excluded area in this application and included in the Alameda District will receive street lights, but they will not be billed individually since the Alameda District will pay Public Service for street lights. Certain customers requesting street lights signed the Petition in this application, but some of these customers reside in the excluded Alameda District area and, therefore, these signatures were not counted as a part of the 80% requesting street lights herein. In fact, any customer residing in either the Alameda District area or outside the boundaries of the proposed area herein was excluded in determining the percentage for or against the instant application.

Mr. J. H. Ranninger, an engineer, in the Rate Department of Public Service Company of Colorado, testified the area met all requirements of the tariff conditions, except the number of signers. Upon an Order of this Commission, the Company is ready, willing and able to install street lighting in the area. No construction contributions are required of electric customers and, as provided in the tariff, a charge of $0.45 per month per customer will be made. The engineering of the street lighting for the area has already been undertaken. It will re-

quire approximately 30 days to make the initial system operational. 7,000 lumen mercury vapor vertically operated, non-ornamental lights will be provided. Service will be furnished in accordance with tariff sheets, Colorado PUC No. 4-Electric, Eighth Revised Sheet No. 262, Third Revised Sheet No. 262A and Original Sheet No. 262B.

The proposed street lighting system was estimated to cost $5017 which will be provided from internal funds of the Company.

If we were to permit the installation of the street lighting system but exempt certain customers from contributing their share of the cost they would receive the benefits of the street lights the same as those who are willing to pay. Since the majority of the customers want street lights and are willing to pay for them, we do not believe it will be equitable or in the public interest to deny the obvious benefits because of the objections of a minority.

F I N D I N G S

THE COMMISSION FINDS:

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

That it has jurisdiction of the subject matter of this application, and of the Public Service Company of Colorado.

That the preservation of the public peace, health and safety require the installation of a street lighting system in the area described in the Order to follow.

O R D E R

THE COMMISSION ORDERS:

That Public Service Company is hereby authorized and directed to install, operate and maintain a non-ornamental, mercury vapor street light system in accordance with the provisions of its Tariff, Colorado, PUC No. 4-Electric, Eighth Revised Sheet No. 262, Third Revised Sheet No. 262A and Original Sheet No. 262B, now existing or as it may be changed under the rules of this Commission, or according to law.

Beginning at the intersection of the center line of South Garrison Street and the center line of the service road north of West Alameda Avenue; thence west along said last-named center line to the intersection with the rear lot lines extended of the lots west of South Hoyt Street; thence north along said rear lot lines, across West Cedar, West Bayaud and West 1st Avenues, and along the rear lot lines of the lots west of Hoyt Street to the intersection with the south line of West 4th Avenue; thence northwesterly to the intersection with the center line of Independence Street; thence north along said center line, across West 5th Place and continuing along the extension of said center line to its intersection with the rear lot lines extended of the lots north of West 5th Place; thence east along said rear lot lines to the northeasterly corner of the lot numbered as 9305 West 5th Place; thence southeasterly along the northeasterly line of said lot, across Garland Street and continuing along the northeasterly line of the lot numbered as 500 Garland Street to the northeasterly corner thereof; thence northeasterly along the northwesterly line of the lot numbered as 595 Garrison Street to the northwesterly corner thereof; thence east along the north line of said lot to the intersection with the center line of Garrison Street; thence south along said center line and the center line of South Garrison Street to the point of beginning. Excluding therefrom the lot at the northwest corner of the intersection of West Cedar Avenue and South Hoyt Street numbered as 195 South Hoyt; the east half of the block between West 1st Avenue and West 2nd Avenue and between Holland and Hoyt Street; and the block between West 1st Avenue and West 2nd Avenue between Garland Street and Holland Street.

That 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 November, 1964.

et.

(Decision No. 64078)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE FAILURE OF VARIOUS CORPORATIONS, PARTNERSHIPS, AND/OR PERSONS TO COMPLETE APPLICATIONS FOR PERMITS TO OPERATE AS COMMERCIAL (PRIVATE) CARRIERS BY MOTOR VEHICLE IN THE STATE OF COLORADO.

November 18, 1964

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 partuclars as required by the Rules and Regulations Governing Commercial Carriers by Motor Vehicle in Colorado.

(a) Failure to file completed application.

(b) Failure to file request for cab cards.

(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, 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 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:

Alpine Monument Co.	1240 So. Kalamath	Denver, Colorado
Toby Anderson	Box 82	Trenton, Texas
Edward Ernest Bannon	2735 Ostrom Ave.	Long Beach, Calif.
Bond Ranch Co.	Box 3	Central City, Nebr.
Bradley Bros. Enterprises	Rt. 1, Silt Mesa	Rifle, Colorado
M. E. Burchell	Box 167	Naturita, Colorado
Daniel C. Burritt	1138 - 34th Ave	Greeley, Colorado
John & Wilma Castoe	General Delivery	Delta, Colorado
Chaparral, Inc.	924 Main	Alamosa, Colorado
Clements Trucking Service	Route 1	Decatur, Texas
Ernest Coen	19 N. 14th	Duncan, Oklahoma
I. L. Crews	Route 1	Lindale, Texas
E. F. Dalton	Rte 2, Box 96A	Plano, Texas
A. L. Davis	110 N. 44th St.	Muskogee, Okla
Harley B. Davison	5668 Old Stage St.	Boulder, Colorado
Gilbert Dorrance	Rye Star Rte, Box 134B	Pueblo, Colorado
Dry Wall Supply & Applicators	612 So. 7th	Grand Junction, Colorado
J. R. Duncan	706 W. Main	Hugo, Okla.
Carlos Estrada	Box 225	Monte Vista, Colorado
Fremont Paving Co.	Rte 1, Box 174	Canon City, Colorado
Walter A. Garcia	645 Grand Avenue	Las Animas, Colorado
Bill Gee		Electra, Colorado
Nathan R. & Gladys Gird	233 King St.	Delta, Colorado
Odell Grooms		Vine, Alabama
H & J Supply Co.	540 So. 3rd West	Price, Utah
Allen B. Hassler		Emerson, Nebr.
Johnson Rusk Elevator	601 Texas St.	Iowa Park, Texas
J. H. Jones	Box 65	Marlow, Okla.
Grover C. Jordan		Pritchett, Colorado
George W. Kilgore	Box 515	Syracuse, Kansas
Robert Lee Kincannon	925 So. 2nd St.	McAlester, Okla
King Tank Truck Service, Inc.	709 N. Butler	Farmington, N. M.
E. B. Kuykendall	1307 S. W. Third	Oklahoma City, Okla.
Bill G. Laman	Box 465	Gunnison, Colorado
Freddie Loughridge	816 Cheyenne	Marlow, Okla
Lozano Bros. Tomatoe House	110 So. San Saba	San Antonio, Texas
Emilio Lucero	233 N. Franklin	Colorado Springs, Colo.
C. B. Luther	Rte 1, Box 98	Decatur, Texas
George Makayama	227 E. Costillo	Colorado Springs, Colo.
Mapleton Sales	5755 N. Washington	Denver, Colorado
Benito C. Martinez	270 E. Amber Pl.	San Antonio, Texas
Lenny Mayer	Rte 2 Box 65	Ft. Collins, Colorado

Manuel S. Medina		South Fork, Colorado
Edwin E. Mills	Box 176	Texline, Texas
Sid W. Morris	504 South 12th	Rocky Ford, Colorado
Mosley Dairy	211 3 Ridgewood	Pueblo, Colorado
A. L. Nielson	General Delivery	Farmington, N. M.
Nu-Way Camp Trailers, Inc.	Rt 1, Box 136A	Chanute, Kansas
O K Tire Store	723 Cooper Ave	Glenwood Springs, Colo.
Davis K. Ormiston	Box 222	Keyes, Okla
Passmore Farm Builder	Rte 2 Box 17	Ft. Lupton, Colorado
Robert G. Paxton	139 Fordham Circle	Pueblo, Colorado
Perishables, Inc.	Box 70	Orlando, Florida
Merle R. Price	207 E. 18th St.	Greeley,Colo
E. D. Ramsey	810 So. Myrtle	Kimball, Nebr.
W. C. Roberts Lumber Co.	Box 7058	Amarillo, Texas
Rustic Bilt, Inc.	Box 407	Lyons, Colorado
Sears Roebuck & Co.	427 Main	Montrose, Colorado
Security Aluminum Corp.	205 Watts Road	Jackson, Miss.
H. M. Seybert	722 N. Alleghaney	Odessa, Texas
Thomas E. Shue	313 E. Abriendo	Pueblo, Colo.
W. M. Showalter		Diamond, Missouri
Lewis Singer	1519 E. Admiral Pl.	Tulsa, Okla
Clarence Smith	7140 E. 54th Ave.	Denver, Colorado
Kenneth Stout	Rte 5	Guthrie, Okla.
Otis Stout	Rte 5	Guthrie, Okla.
Sunrise Produce Co. Inc.	Box 6204	Austin, Texas
Harold J. Tedder	Box 522	Estes Park, Colorado
Town & Country Mobile Home Sales	802 N. First	Artesia, N. M.
Cecil R. Tremain	Box 77	Sidney, Nebr.
Union Timber Co.	400 N. Main	Kamas, Utah
Walker Drug Co.	2650 North Ave	Grand Junction, Colorado
John F. Waters	1817 S. W. Brooklyn	Oklahoma City, Okla
Robert G. Worley, Sr.	806 - 4th St.	Greeley, Colorado
Will Frank Westbrook	1412 Irene Drive	Irving, Texas
B. R. Williams		Anniston, Alabama
Owen B. Williamson	109 Muriel Drive	Denver, Colorado
Dave Wing	1012 8th Ave.	Greeley, Colorado.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 18th day of November, 1964.

et.

original

(Decision No. 64079)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE FAILURE OF VARIOUS CORPORATIONS, PARTNERSHIPS, AND/OR PERSONS TO COMPLETE APPLICATIONS FOR AUTHORITY TO OPERATE AS A COMMON OR PRIVATE (CONTRACT) CARRIERS FOR HIRE IN INTERSTATE COMMERCE BY MOTOR VEHICLE OVER THE HIGHWAYS OF THE STATE OF COLORADO.

November 18, 1964

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 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 file request for cab cards.

(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 cor-

porations, 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:

Avery J. Burns	2210 Leech	Sioux City, Iowa
J. L. Campbell	1512 Denson Drive	Pauls Valley, Okla.
Coatal Refrigerated Service	P. O. Box 5791	Orlando, Florida
Roland A. Davis	12922 Lila Lane	Houston, Texas
H. H. Drake Trucking Co., Inc.	P. O. Box 436	Cullman, Alabama
J. W. Graham	4328 Harwen Terrace	Ft. Worth, Texas
Wayne Hartfield	P. O. Box 241	Anna, Texas
Paul Hettinger Produce	Route 6, Box 467	Lufkin, Texas
Jones Truck Line	P. O. Box 759	Baker, Oregon
Liebman Packing Co.	P. O. Box 427	Greenbay, Wisconsin
C. B. Luther	Route 1, Box 48	Decatur, Texas
Denton Oliver	2320 Boston	Muskogee, Oklahoma
Ralph Richards	1725 N. Beaton St.	Corsicana, Texas
W. M. Showalter		Diamond, Missouri
Robert L & Elizabeth Sims	P. O. Box 744	Ft. Myers, Florida
Reed Strawn	900 S. E. Quincy	Idabel, Oklahoma
E. E. Willingham	Route 1	Wayne, Oklahoma

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 18th day of November, 1964.

mls

(Decision No. 64080)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF Y-W ELECTRIC ASSOCIATION, INC., A COLORADO CORPORATION, AKRON, COLORADO, FOR AN ORDER AUTHORIZING THE ISSUANCE OF SECURITIES AND THE APPLICATION OF THE PROCEEDS THEREFROM TO CERTAIN LAWFUL PURPOSES.	)	APPLICATION NO. 20840-Securities

November 18, 1964

STATEMENT AND FINDINGS

By the Commission:

In this Application filed November 17, 1964, Y-W Electric Association, Inc. (Y-W) asks the Commission to approve the issuance of a mortgage note to the Rural Electrification Administration for $230,000. This $230,000 note represents the remainder of the amount of $530,000 of the Amendment, August 12, 1963, to Amending Loan Contract, July 27, 1951, approved by this Commission in Application No. 20581-Securities, Decision No. 63424, August 4, 1964. At the hearing of this Application No. 20581-Securities on July 29, 1964, Applicant's witness stated that Y-W was seeking at that time only the approval of a $300,000 mortgage note negotiated with the Rural Electrification Administration on August 15, 1963 even though the Association anticipated that the total amount of $530,000 would be needed within the current year.

Y-W, through its legal counsel, now states that Y-W is presently engaged in the construction of a transmission line within its certificated area and the installation of other facilities necessary to serve its electric consumers. The recent winter storms have increased the urgency for the installation of these facilities. Up until now construction costs have been met from general funds of Y-W and are running low, thus the need for additional funds at the earliest possible date. For these reasons Y-W requests that the hearing be set on Application No. 20840-Securities as soon as possible.

The Commission finds this situation to be an emergency matter and that the public interest and necessity require Commission action sooner than that provided by the ten-day notice period, Rule 13 of the Commission's Rules of Practice and Procedure.

O R D E R

THE COMMISSION ORDERS:

That a public hearing, after due notice to all interested parties, be heard commencing on November 20, 1964, at 9:30 o'clock A.M., 532 State Services Building, Denver, Colorado, respecting matters involved and issues presented in the proceeding.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

CHAIRMAN HENRY E. ZARLENGO NECESSARILY ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 18th day of November, 1964.

et.

(Decision No. 64081)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
WILLIAM M. BRIGGS AND RUBY LEE BRIGGS,)
DOING BUSINESS AS, "BILL BRIGGS OIL)
COMPANY", P. O. BOX 808, DURANGO,) PERMIT NO. M-7390
COLORADO.)
)

November 25, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from William M. Briggs and Ruby Lee Briggs, dba "Bill Briggs Oil Company", Durango, Colorado requesting that Permit No. M-7390 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7390, heretofore issued to William M. Briggs and Ruby Lee Briggs, dba "Bill Briggs Oil Company", Durango, Colorado be, and the same is hereby, declared cancelled effective September 3, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,

this 25th day of November, 19 64.

hc

original

(Decision No. 64082)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF HUGO L. WILLIS, SILVERTON, COLORADO.) PUC NO. 1081

November 18, 1964

STATEMENT AND FINDINGS OF FACT

By the Commission:

On March 16, 1964, the Commission entered its Decision No. 62536, approving mortgage of PUC No. 1081 by Hugo L. Willis, Silverton, Colorado, to The Citizens State Bank of Ouray, Ouray, Colorado, to secure payment of the sum of $7,500.00.

The Commission is now in receipt of a communication from said The Citizens State Bank of Ouray, stating said mortgage has been renewed, running to March 2, 1965, and requesting approval thereof.

The Commission states and finds that said request should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That renewal of mortgage of PUC No. 1081 until March 2, 1965, by Hugo L. Willis, Silverton, Colorado, to The Citizens State Bank of Ouray, Ouray, Colorado, of date November 2, 1964, be, and the same hereby is, approved.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 18th day of November, 1964.

mls

original

(Decision No. 64083)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
FRANK GORDON, BOX 227, LYONS, COLO-)
RADO, FOR A CLASS "B" PERMIT TO) APPLICATION NO. 20803-PP
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

November 18, 1964

Appearances: Frank Gordon, Lyons, Colorado, pro se;
Edward T. Lyons, Esq., Denver, Colorado, for Consolidated Freightways Corporation of Delaware, Rual Transport Corporation, and Ward Transport, Inc.;
Joseph F. Nigron, Esq., Denver, Colorado, for Weicker Transfer and Storage Company, Duffy Storage and Moving Company;
William T. Secor, Esq., Longmont, Colorado, for Golden Transfer Company, Pherson Trucking Company, Sorenson Truck Service.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the above-styled application, as amended at the hearing, Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of 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 to the use of tank vehicles; transportation of crushed rock between points within a radius of one hundred miles of Lyons, Colorado.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At 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 conclusions.

Applicant herein appeared at the hearing and testified in support of his application, stating he is presently operating under Temporary Authority issued by this Commission; that if authority herein sought is granted, he will enter into special carriage contracts to provide needed and specialized service for certain shippers requesting his proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to render said service.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for applicant's proposed transportation service; that applicant will have sufficient equipment and experience to properly carry on the proposed operation; that applicant's financial standing is established to the satisfaction of the Commission; that it does not appear that applicant's proposed operation will impair the efficient public ser-

vice of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; 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 Frank Gordon, Lyons, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of one hundred miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to home and small construction jobs within a radius of one hundred miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of one hundred miles of said jobs; 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 being restricted against the use of tank vehicles; transportation of crushed rock, between points within a radius of one hundred miles of Lyons, Colorado; and this ORDER shall be deemed to be, and be, 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 18th day of November, 1964.

mls

(Decision No. 64084)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
METAL TRIMS, INCORPORATED, P. O. BOX)
632, JACKSON, MISSISSIPPI.)
) PERMIT NO. M-3141
)
)

November 25, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Metal Trims, Inc., Jackson, Mississippi requesting that Permit No. M-3141 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-3141, heretofore issued to Metal Trims, Inc., Jackson, Mississippi be, and the same is hereby, declared cancelled effective October 31, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard A. Gillard

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,

this 25th day of November, 19 64.

hc

SUSPENSION ORDER--COMMON CARRIER (Decision No. 64085)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF OWEN SLAUGHENHAUPT, 311 PINE STREET, GRAND JUNCTION, COLORADO.

PUC NO, 5909-I

November 25, 1964

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. 5909-I be further suspended for six months from November 9, 1964.

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 Owen Slaughenhaupt, Grand Junction, Colorado

be, and is hereby, authorized to further suspend operations under PUC No. 5909-I until May 9, 1965.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 25th day of November, 1964.

hc

CANCELLATION--COMMON CARRIER

(Decision No. 64086)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
THOMAS F. GALLIGAN, DOING BUSINESS)
AS, "GALLIGAN WHOLESALE MEAT) PUC NO. 4234-I
COMPANY", 1220 - 35TH STREET,)
DENVER, COLORADO.)

November 25, 1964

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Thomas F. Galligan, doing business as, "Galligan Wholesale Meat Company", Denver, Colorado

requesting that Certificate of Public Convenience and Necessity No. 4234-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. 4234-I heretofore issued to Thomas F. Galligan, doing business as, "Galligan Wholesale Meat Company", Denver, Colorado

be, and the same is hereby, declared cancelled effective October 16, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 25th day of November, 19 64.

hc

CANCELLATION--COMMON CARRIER

(Decision No. 64087)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
GALLOWAY LUMBER COMPANY (CORP-)
ORATION), P. O. BOX 470, CLARKS-)
VILLE, ARKANSAS.)
)

PUC NO. 5027-I

November 25, 1964

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Galloway Lumber Company (Corp.), Clarksville, Arkansas

requesting that Certificate of Public Convenience and Necessity No. 5027-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. 5027-I heretofore issued to Galloway Lumber Company (Corp.), Clarksville, Arkansas

be, and the same is hereby, declared cancelled effective November 4, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Harold S. Bjelland
Commissioners

Dated at Denver, Colorado,
this 25th day of November, 19 64.

hc

(Decision No. 64088)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
)
DENVER STOVE HOUSE, INCORPORATED,)
3422 COLFAX A, DENVER 6, COLORADO.) PERMIT NO. M-4021
)
)

November 25, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Denver Stove House, Inc., Denver 6, Colorado requesting that Permit No. M-4021 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4021, heretofore issued to Denver Stove House, Inc., Denver 6, Colorado be, and the same is hereby, declared cancelled effective October 1, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,

this 25th day of November, 19 64.

hc

(Decision No. 64089)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
BOULDER VALLEY, INCORPORATED, 2317)
PERRY STREET, DENVER 12, COLORADO.)
) PERMIT NO. M-6307
)
)

November 25, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Boulder Valley, Inc., Denver 12, Colorado requesting that Permit No. M-6307 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6307, heretofore issued to Boulder Valley, Inc., Denver 12, Colorado be, and the same is hereby, declared cancelled effective October 12, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard S. Bjelland

Ralph C. Hanson

Commissioners

Dated at Denver, Colorado,

this 25th day of November, 19 64.

hc

(Decision No. 64090)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
DAN NELIS TREE AND LAWN SERVICE,)
P. O. BOX 183, BOULDER, COLORADO.) PERMIT NO. M-6798
)
)

November 25, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Dan Nelis Tree & Lawn Service, Boulder, Colorado requesting that Permit No. M-6798 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6798, heretofore issued to Dan Nelis Tree & Lawn Service, Boulder, Colorado be, and the same is hereby, declared cancelled effective October 26, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Harold D. Bjelland
Ralph C. Hoover
Commissioners

Dated at Denver, Colorado,
this 25th day of November, 19 64.

hc

(Decision No. 64091)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
WILLIAM D. MUGLEY, P. O. BOX 145,)
SEIBERT, COLORADO.)
) PERMIT NO. M-7381
)
)

November 25, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from William D. Mugley, Seibert, Colorado requesting that Permit No. M-7381 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7381, heretofore issued to William D. Mugley, Seibert, Colorado be, and the same is hereby, declared cancelled effective October 29, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard E. Bjelland

Ralph C. Hoban

Commissioners

Dated at Denver, Colorado,

this 25th day of November, 19 64.

hc

(Decision No. 64092)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
GALLOWAY LUMBER COMPANY, P. O. BOX 470, CLARKSVILLE, ARKANSAS.) PERMIT NO. M-15580

November 25, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Galloway Lumber Company, Clarksville, Arkansas requesting that Permit No. M-15580 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15580, heretofore issued to Galloway Lumber Company, Clarksville, Arkansas be, and the same is hereby, declared cancelled effective November 4, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,

this 25th day of November, 19 64.

hc

(Decision No. 64093)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
GABOR CSEH, DOING BUSINESS AS)
"LAKE ELDORA BUS COMPANY," P. O. BOX) PUC NO. 5632
100, NEDERLAND, COLORADO.)

November 18, 1964

STATEMENT AND FINDINGS OF FACT

By the Commission:

On February 20, 1964, the Commission entered its Decision No. 62324, authorizing suspension of operations under PUC No. 5632 from January 1, 1964, until August 1, 1964.

Through inadvertence, said certificate-holder failed to request reinstatement of said operating rights, and now requests further suspension of operations thereunder, nunc pro tunc, from August 1, 1964, until February 1, 1965.

The Commission states and finds that said request should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Gabor Cseh, doing business as "Lake Eldora Bus Company," Nederland, Colorado, be, and he hereby is, authorized to further suspend operations under PUC No. 5632, nunc pro tunc, from August 1, 1964, until February 1, 1965.

That unless said certificate-holder shall, prior to expiration of said additional suspension period, make a request, in writing, for reinstatement of said certificate, file insurance, and otherwise comply with all rules and regulations of this Commission applicable to Common Carrier Certificates, said certificate, without further action on the part of the Commission, shall stand revoked, without right to re-

instate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 18th day of November, 1964.

et.

(Decision No. 64094)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF ALLEN TRANSFER CO., 126 THIRD AVENUE, LONGMONT, COLORADO, FOR AUTHORITY TO TRANSFER TO JACK E. EDSON AND MARJORIE J. EDSON, DOING BUSINESS AS "EDSON EXPRESS," P. O. BOX 582, LONGMONT, COLORADO, A PORTION OF PUC NO. 40.	APPLICATION NO. 20717-Transfer

November 18, 1964

S T A T E M E N T

By the Commission:

On October 28, 1964 the Commission entered Decision No. 63937 relative to the application of Allen Transfer Co, of Longmont, Colorado, for permission to sell and transfer to Edson Express certain motor vehicle common carrier operating rights as described in Certificate of Public Convenience and Necessity No. 40 heretofore issued by the Commission. A complementary application was received from Edson Express requesting authority to purchase the certificate of public convenience and necessity and operating rights thereunder heretofore belonging to Allen Transfer Co.

On November 13, 1964 the two Petitioners filed their Petition for Rehearing or further hearing in the above-captioned matter in which various and diverse questions of law and fact were raised for the consideration of the Commission, all in compliance with applicable sections of the statute.

F I N D I N G S

THE COMMISSION FINDS:

The facts set forth in the preceding Statement are true and material and are incorporated in these Findings.

That sufficient cause exists for granting the Petition for Rehearing of Allen Transfer Co. and Edson Express.

O R D E R

THE COMMISSION ORDERS:

1. A rehearing ought to be, and hereby is, ordered to be held on the above captioned matter in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, at ten o'clock A.M. on the morning of December 21, 1964, or as the same may be continued.

2. This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 18th day of November, 1964.

et.

Original

(Decision No. 64095)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS)
BURT HUGHES, DOING BUSINESS AS) PUC NO. 3510
"B & J TRIANGLE EXPRESS," 2005 WELTON)
STREET, DENVER, COLORADO.)

November 18, 1964

STATEMENT AND FINDINGS OF FACT

By the Commission:

On February 20, 1964, the Commission entered its Decision No. 62325, authorizing suspension of operations under PUC No. 3510 from January 16, 1964, until July 16, 1964, it being therein provided that said certificate-holder should request reinstatement of said operating rights prior to expiration of said suspension period.

Through inadvertence, request for said reinstatement of PUC No. 3510 was not placed with the Commission prior to July 16, 1964, and inasmuch as said certificate-holder is now desirous of transferring said operating rights, request is made for reinstatement of said certificate, for purpose of transfer, only.

The Commission states and finds that said request should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That PUC No. 3510 be, and the same hereby is, reinstated, nunc pro tunc, as of July 16, 1964, for purpose of transfer, only.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 18th day of November, 1964.

et.

(Decision No. 64096)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
RALPH E. DAVIS, DOING BUSINESS AS)
"DAVIS AUTO WRECKING," BOX 147,) PUC NO. 4700-I
FORT MORGAN, COLORADO.)

November 18, 1964

STATEMENT AND FINDINGS OF FACT

By the Commission:

The Commission is in receipt of a communication from the above-styled certificate-holder, requesting authority to do business under the trade name and style: "R. E. Davis, doing business as 'Davis Junk Yard,'" in lieu of: "Ralph E. Davis, doing business as 'Davis Auto Wrecking,'" in the conduct of operations under PUC No. 4700-I.

The Commission states and 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. 4700-I to be owned and operated by:

"R. E. Davis,
doing business as
'Davis Junk Yard,'"

in lieu of:

"Ralph E. Davis,
doing business as
'Davis Auto Wrecking.'"

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 November, 1964.

et.

original

(Decision No. 64097)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF THE BOARD OF COUNTY COMMISSIONERS, COUNTY OF ARAPAHOE, STATE OF COLORADO, 5606 SOUTH COURT PLACE, LITTLETON, COLORADO, REQUESTING AUTHORIZATION FOR THE INSTALLATION OF SIGNAL LIGHTS AT RIDGE ROAD RAIL CROSSING AT SANTA FE DRIVE, ARAPAHOE COUNTY.

APPLICATION NO. 20823

November 18, 1964

S T A T E M E N T

By the Commission:

On October 23, 1964, Application was filed with this Commission by The Board of County Commissioners, Arapahoe County, seeking authorization for the installation of railroad warning signal lights with short-arm gates at the grade crossings of Ridge Road over main line trackage of the Rio Grande and Santa Fe railroads.

Other explanatory material as submitted with the instant application includes the following:

(1) Map Drawing No. 64-23-1-1, by Arapahoe County Engineering Department to show grade crossing locations at Ridge Road; proposed signal locations; roadway construction as planned for new intersection at Santa Fe Drive; roadway changes as made on Santa Fe Drive (U. S. #85 - Colo. #1); and profile of existing and proposed roadway grades at the rail line approaches.

(2) Copy of Resolution No. 389-64 to show unanimous vote of Board of Arapahoe County Commissioners that application be made for signalizing intersection at D. & R. G. and Santa Fe Railroads crossing with Ridge Road at Santa Fe Drive.

With reference to the instant application and other investigation of the Commission, it is noted that for many years Ridge Road was the southern City Limit line of Littleton and extended westerly to

the cemetery and railroad tracks near South Santa Fe Drive. Recent annexations have extended the City area southward, but the cemetery and crossing land near the railroads has remained in the County.

In 1958, abandonment of the grade crossings was proposed by Arapahoe County (Application 16791, December 23, 1958). However, residential development was starting near the eastern street area and the crossing was used by many people employed at the new Martin Plant being opened up to the south. Other proposals were made and visibility partially improved by embankment removals near the trackage. The matter was not actively pursued and on request of Arapahoe County the application was dismissed (Decision No. 61258, August 28, 1963).

More recently Arapahoe County expanded its Department of Roads and added a County Engineer. Increased crossing protection at Ridge Road was considered in a series of conferences involving Colorado Department of Highways, the City of Littleton, County Commissioners, adjacent property developers and the respective Railroads. The instant application is therefore the result of the above planning which also recommended other work of widening the roadway, reconstruction of the westerly approach and realinement of a portion of Santa Fe Drive near the Ridge Road location.

The existing Ridge Road is asphalt surfaced at some 20 feet wide. Extending westerly toward the rail line, it is on a 5% downgrade over the rail tracks with a short steeper section at 10% for about 50 feet at the Santa Fe Drive approach. To overcome the very steep westerly approach, it was necessary to shift State Highway (Santa Fe Drive) a distance of 20 feet westerly to secure additional space for a new Ridge Road approach. New construction will provide a median separated approach ramp 300 feet long adjacent to Rio Grande railroad right-of-way to secure a near level stopping area before crossing the Rio Grande main-line. Similar grading work will be done at the Santa Fe track approach. Proposed road work will include widening of

Ridge Road to 44 feet and removal of a narrow bridge over the nearby City Ditch.

At the Ridge Road crossings, there are two main-line tracks located 60 feet apart. Southbound rail travel for all trains is over the Rio Grande line (west side track), with all northbound trains using Santa Fe main or the east side track. Protection is to consist of a combination short-arm gate and flasher signal unit at each outside approach to the double track section. Wiring circuits will also be coordinated so that movements on either one or both lines will provide signal operation. According to the instant application, traffic amounts to approximately 4,000 vehicles and 24 scheduled train movements daily.

Since the crossings involved herein do not lie within an incorporated city or town, negotiations have been carried on by Arapahoe County with affected parties: Highway Department relocation work is going ahead to provide construction area for the new ramp approach; added right-of-way ground for ramp approach has been secured from Rio Grande; arrangements made for changes in utility poles and communication lines; orders placed with railroads for signal equipment; preliminary approvals secured from Railroads for protection plans.

Estimated total cost for crossing protection at both rail lines is $35,000, this full expense is being paid by Arapahoe County on basis of its purchase order to the railroads so that no further Agreement data is involved.

Meanwhile, copies of the instant application have been forwarded to interested parties and the Commission has given its Notice of Filing. Said Notice is to ascertain if any other action is to be considered within the period of twenty (20) days as designated in said Notice. No adverse reply has been received by the Commission.

After consideration of the instant proposal, it appears that here we have the typical problem of metropolitan growth expansion. Extensive plans have been noted from time to time wherein

simplified rail operation in this area has been proposed through consolidation of track use over a single rail line. With the removal of one track, the costs of highway overpass construction are lessened to the point that more complete protection becomes economically possible. Meanwhile, it is the belief of the Commission there is now justification for the proposed warning and control devices. Other work of road widening, traffic signalling, canal bridge and ditch work amounting to $75,000 also offers a further indication of support and current need.

It is therefore the belief of the Commission that the proposed crossing widening and installation of automatic protection devices is compatible with the public interest, and the Commission determined to hear, and has heard said matter, forthwith and without further notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That it is informed in the instant matter, and the foregoing Statement, by reference, is made a part hereof.

That public safety, convenience and necessity require crossing widening, together with curbed median approaches and installation of standard flashing light signals supplemented with short-arm gates at the grade crossings of Ridge Road over the main line trackage of The Denver & Rio Grande Western Railroad and The Atchison, Topeka & Santa Fe Railway near the south City Limits of Littleton, Arapahoe County, Colorado.

That the authority sought in the instant application should be granted.

O R D E R

THE COMMISSION ORDERS:

That Applicant, The Board of County Commissioners, County of Arapahoe, be, and it hereby is, granted a certificate of public conven-

ience and necessity to authorize and approve:

a. Road improvements consisting of crossing widening with curbed median approaches, and

b. Installation of crossing protection devices consisting of a standard flashing light railroad signal supplemented with a short-arm gate at each outermost approach to the double track section.

Said work to be done at the grade crossings of Ridge Road over the respective single main-line tracks of The Denver & Rio Grande Western Railroad and The Atchison, Topeka and Santa Fe Railway, all as located near Santa Fe Drive and the south City Limits of Littleton, Arapahoe County, Colorado.

That the protection devices and installation shall all be in conformance with the current Bulletin of the Association of American Railroads' Joint Committee on Railroad Protection.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 18th day of November, 1964.

mls

original

(Decision No. 64098)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
LLOYD D. LEE, DOING BUSINESS AS)
"BAKER MOVING & STORAGE COMPANY",) PUC 3625
1080 YUMA STREET, DENVER, COLO-) PUC 3625-I
RADO.)

November 18, 1964

STATEMENT AND FINDINGS OF FACT

By the Commission:

The Commission is in receipt of an application from the above-styled certificate-holder, requesting a written waiver from the Commission in lieu of filing a bond covering payment of C.O.D. collections to shippers, in operation under PUC No. 3625 and PUC No. 3625-I.

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."

Inasmuch as the financial statement of Applicant on file with the Commission is satisfactory, the Commission states and finds

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

O R D E R

THE COMMISSION ORDERS:

That Lloyd D. Lee, doing business as "Baker Moving & Storage Company," Denver, 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. 3625 and PUC No. 3625-I.

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 November, 1964.

mls

original

(Decision No. 64099)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF W. R. HALL TRANSPORTATION & STORAGE COMPANY, 2518 U. S. HIGHWAY 6 & 50, GRAND JUNCTION, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY, AUTHORIZING EXTENSION OF OPERATIONS UNDER PUC NO. 345.

APPLICATION NO. 20534-Extension

November 18, 1964

Appearances: John P. Thompson, Esq., Denver, Colorado, for Applicant;
Edward T. Lyons, Esq., Denver, Colorado, for Estes Trucking Company;
Royce D. Sickler, Esq., Denver, Colorado, for Larson Transportation Company, Rio Grande Motor Way, Inc.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Heretofore, the above-styled applicant was granted a certificate of public convenience and necessity (PUC No. 345), authorizing operation as a common carrier by motor vehicle for hire.

By the above-styled application, said certificate-holder seeks authority to extend operations under PUC No. 345 to authorize maintenance of an office at the Town of Grand Valley, Colorado.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At 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 conclusions.

At the hearing, W. R. Hall appeared and testified he is President of Applicant herein; Applicant is the owner of PUC No. 345 and Permit No. B-820; that under said PUC No. 345 Applicant is restricted to an office in Grand Junction, Colorado, and under Permit No. B-820 there also is an office restriction; that said company is engaged in general cartage business, and maintains two warehouses for such business in Grand Junction; that there has been a growth of business and new enterprises in what is known as "oil shale" development, in territory lying north of Grand Valley, Colorado; that to meet this demand for business and to better serve customers in said territory, he believes that his company should be allowed to establish a second office at Grand Valley, Colorado; that if said additional office was allowed, his company would locate equipment and personnel at Grand Valley and build the necessary warehouse to handle and store freight going into this territory; that at the present time, his company is transporting oil from Denver to Gunnison, Eagle, and other points in Colorado; that if his company is allowed to establish an office in Grand Valley under PUC No. 345, his company would not solicit and receive business under Permit No. B-820, which permit is restricted to an office in Mesa County; that Applicant has sufficient equipment to serve the territory authorized from Grand Valley.

H. B. Borba testified he is Project Engineer for Bechtel Corporation, have a construction contract for erection of a pilot plant for processing of oil shale; that this plant is situate 17 miles north of Grand Valley; that said contract provides that the plant be completed between May 1 and June 1, 1965; that at the present time there are three employees, which number will be increased to from 70 to 110; that five to ten per cent of the materials needed for the construction would come from points in Colorado, some of which would come by mail; that Grand Valley would be the natural delivery point for ma-

terials for said construction jobs; that he has shopped around for a carrier to supply this service, and feels applicant has the equipment to handle the job, which will include materials from small packages to large machinery.

Edward T. Rosar appeared and testified he is local Agent for the Colony Development Company, which company is supported by the Standard Oil Company, Cleveland-Cliff Iron Company, and Oil Shale Company; that he is the Mining Engineer on the job for development of oil shale for the mining of oil shale to go into the pilot plant being built by Bechtel Corporation; that Colony Development Company is now drilling a tunnel and employs 9 men, which number will be increased to 45; that his company has some equipment delivered on the sellers truck and not by a common carrier; that his company would use any carrier having proper authority.

Ralph Knull appeared and testified he is Traffic Manager for Rio Grande Motor Way, Inc., and Larson Transportation Company; that Rio Grande operates east and west through Grand Valley, with warehouse facilities at Grand Junction, 63 miles west of Grand Valley, and at Rifle, Colorado, 16 miles east of Grand Valley; that the Rio Grande Railroad has a freight depot at Grand Valley which, at this time, is not being used; that Rio Grande has been interlining freight with Estes Truck Line for freight into the oil shale territory; that Rio Grande could move occasional loads from anywhere in the State of Colorado to this territory.

Leslie Estes appeared and testified he is owner of Estes Truck Line, operating under PUC Nos. 781, 802, 802-I, 1971, and 3406; that he maintains an office, garage, and equipment at Rifle, Colorado; that he has some storage space at his garage and upon a vacant lot; that he has sufficient equipment to transport anything into the oil shale territory; that when a similar plant was erected about ten years ago, he transpoted all equipment for the plant; that if the business

was of sufficient amount, he would work out of Grand Valley.

Donald Smith appeared and testified he is representative for Ward Transport, operating under PUC 1497 and PUC 1497-I, and can haul petroleum products between all points in Colorado; that his company has large amount of equipment, which equipment is not in use at all times; that his company is ready and willing to serve at all times.

James Rost appeared at the hearing and testified he is Assistant District Manager for Ruan Transport Company, operating under PUC 1515, which company maintains terminals and equipment at La Junta, Sterling, Fort Morgan, Craig, Grand Junction, Glenwood Springs, and Denver; that said company has approximately 100 trailers and 70 tractors; that his company is now hauling petroleum products to the job-site of Bechtel Corporation, near Grand Valley.

Official notice of PUC Nos. 345, 149, 331, 1971, 802, 1497, 1515 and Permit B-820 is taken.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that the instant application was vigorously protested by common carriers presently authorized to perform service herein proposed by applicant; that public convenience and necessity do not require applicant's proposed extended service, and that said application should be denied.

O R D E R

THE COMMISSION ORDERS:

That Application No. 20534-Extension 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 18th day of November, 1964.
mls

(Decision No. 64100)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF BESSIE RUTH HAYES, ROUTE 3, BOX 464, GREELEY, COLORADO, FOR AUTHORITY TO TRANSFER PERMIT NO. B-1877 TO B. R. HAYES, INC., 627 28TH STREET, GREELEY, COLORADO.	APPLICATION NO. 20603-PP-Transfer

November 18, 1964

Appearances: Bessie Ruth Hayes, Greeley, Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Heretofore, Bessie Ruth Hayes, Greeley, Colorado, was granted authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of:

> (a) farm products from, to and between points within a radius of 25 miles of Evans, excluding the right to serve (except for the transportation of wheat from combines and threshers) from, to and between points within the territory described as allocated to Lyon and Thompson; (b) livestock from point to point within a radius of 5 miles of Evans and from points in said area to Greeley, and from and to points in said area to and from pastures in northern Colo.; (c) coal from coal mines in northern Colorado to points within a radius of 25 miles of Evans; (d) plaster, cement and cement by-products from Evans to points within a radius of 25 miles of Evans, excluding, however, the right to transport commodities, except coal, ordinarily handled by line haul scheduled carriers between towns on U. S. 85.

said operating rights being known as "Permit No. B-1877."

By the above-styled application, said permit-holder seeks authority to transfer Permit No. B-1877 to B. R. Hayes, Inc., Greeley, Colorado.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At 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 conclusions.

At the hearing, Bessie Ruth Hayes appeared and testified in support of the application, stating there is no outstanding indebtedness against said permit; that the consideration for transfer is all Capital Stock of Transferee; that Articles of Incorporation of Transferee are on file with the Commission; that Transferee has ample and suitable equipment and sufficient net worth with which to continue said operation.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that Transferee will have sufficient equipment and experience to properly carry on the operation; that Transferee's financial standing is established to the satisfaction of the Commission; 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 Bessie Ruth Hayes, Greeley, Colorado, be, and she hereby is, authorized to transfer all right, title, and interest in and to Permit No. B-1877 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to B. R. Hayes, Inc., Greeley, Colorado, subject to encumbrances, if any, against said permit approved by this Commission.

That said transfer shall become effective only if and when, but not before, said Transferor and Transferee, in writing, have advised the Commission that said permit has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order to be by them, or

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

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

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

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 18th day of November, 1964.

et.

(Decision No. 64101)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WESTERN EXPRESS, INC., 2117 CLARKSON)
CIRCLE, COLORADO SPRINGS, COLORADO,) APPLICATION NO. 20746-PP
FOR A CLASS "B" PERMIT TO OPERATE AS) SUPPLEMENTAL ORDER
A PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

November 18, 1964

Appearances: Leslie R. Kehl, Esq., Denver, Colorado, for Applicant.

STATEMENT AND FINDINGS OF FACT

By the Commission:

On November 9, 1964, the Commission entered its Decision No. 64010 in the above-styled application, granting to Applicant herein the right to operate as a Class "B" private carrier by motor vehicle for hire.

It now appears that an error appears in the 5th line of the first paragraph of the Order contained in said Decision No. 64010, appearing on Page 2, thereof, viz., the word "Counties" was omitted, immediately following the word "Alamosa."

The Commission states and finds that Decision No. 64010 should be amended, nunc pro tunc, as of November 9, 1964, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 64010, of date November 9, 1964, be, and the same hereby is, amended, nunc pro tunc, as of said 9th day of November, 1964, by inserting the word "Counties", immediately following the word "Alamosa," appearing in the 5th line of the first paragraph of the Order therein contained, so that said first paragraph of the

Order contained in Decision No. 64010, as amended, shall read as follows:

> "That Western Express, Inc., 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 newspapers, from Colorado Springs, Colorado, to all points in Fremont, Chaffee, Saguache, Rio Grande, and Alamosa Counties, Colorado, for The Denver Post, only; and this ORDER shall be deemed to be, and be, a PERMIT therefor."

That, except as herein amended, Decision No. 64010 shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 18th day of November, 1964.

et.

original

(Decision No. 64102)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
EUSEBIO MARTINEZ, 6201 IVY STREET,)
COMMERCE CITY, COLORADO, FOR AU-) APPLICATION NO. 20805-PP-Extension
THORITY TO EXTEND OPERATIONS UNDER)
PERMIT NO. B-3112.)

November 18, 1964

Appearances: Eusebio Martinez, Commerce City, Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the above-styled application, Eusebio Martinez, owner and operator of Permit No. B-3112, seeks authority to extend operations thereunder to include the right to transport

> Building blocks, brick, and clay pipe, from Denver, Colorado, to points within a radius of 150 miles of Denver, Colorado, for Bill Hillen, 160 South Hoyt, Lakewood, Colorado, and for Denver Brick & Pipe Company, 45th and Fox Street, Denver, Colorado, only, without the right to add to the number of customers served without permission of this Commission first had and obtained.
>
> Said Permit No. B-3112 authorizes transportation of:
>
> Sand, gravel and other road-surfacing materials from pits and supply points within a radius of 50 miles of Denver, Colorado, to jobs within said area, excluding service in Boulder, Clear Creek and Gilpin Counties; and coal from mines in the northern Colorado coal fields to Denver, Colorado, cinders and cinder blocks between points within a radius of 50 miles of Denver, Colorado, excluding service from Denver to points served by Langford and Tuxhorn under Certificate No. 272; transportation of building blocks and brick from Denver, Colorado, to points within a radius of 50 miles of Denver, Colorado, for George F. Strauss Cinder Block Co.,Inc., 5050 Race Street, Denver, Colorado, and for Denver Sewer Pipe & Clay Co., 45th & Fox Street, Denver, Colorado, only, without the right to add to the number of customers without permission of this Commission first had and obtained.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom

the hearing was assigned by the Commission. At 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 conclusions.

Applicant appeared at the hearing and testified in support of his application, stating if authority herein sought is granted, he will enter into special carriage contracts to provide needed and specialized service with shippers who have requested his proposed extended service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to render said service.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for Applicant's proposed extended transportation services; that Applicant will have sufficient equipment and experience to properly carry on said proposed extended operation; that Applicant's financial standing is established to the satisfaction of the Commission; that it does not appear that Applicant's proposed extended operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; 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 Eusebio Martinez, Commerce City, Colorado, be, and he hereby is, authorized to extend operations under Permit No. B-3112, to include the right to transport building blocks, brick and clay pipe, from Denver, Colorado, to points within a radius of 150 miles of Denver, Colorado, for Bill Hillen, 160 South Hoyt, Lakewood, Colorado,

and for Denver Brick & Pipe Company, 45th and Fox Street, Denver, Colorado, only, without the right to add to the number of customers, without permission of this Commission first had and obtained; and this ORDER shall be deemed to be, and be, a PERMIT therefor.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 18th day of November, 1964.

et.

(Decision No. 64103)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF ISSUANCE OF TEMPORARY CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY UNDER CHAPTER 115, SESSION LAWS OF COLORADO, 1953.

APPLICATION NO. 20842

November 18, 1964

STATEMENT AND FINDINGS OF FACT

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 grain, corn, and milo, in the Counties of Adams, Arapahoe, Baca, Bent, Cheyenne, Crowley, Denver, Douglas, Elbert, El Paso, Huerfano, Kiowa, Kit Carson, Las Animas, Lincoln, Morgan, Otero, Prowers, Pueblo, Washington, Weld, and Yuma, Colorado, and that said emergency will probably continue for a period of ninety (90) days hereafter.

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

The Commission states and finds that an emergency exists because of shortage in certificated trucks for transportation of grain, corn, and milo, in the Counties above set forth, and that public convenience and necessity require that temporary certificates issue for the operation of motor vehicles for transportation of crops, as provided by Chapter 115, Article 9, Section 4, Session Laws of 1953, said certificates to be effective for a period of Ninety (90) days, commencing November 18, 1964.

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 grain, corn, and milo, in the Counties of Adams, Arapahoe, Baca, Bent, Cheyenne, Crowley, Denver, Douglas, Elbert, El Paso, Huerfano, Kiowa, Kit Carson, Las Animas, Lincoln, Morgan, Otero, Prowers, Pueblo, Washington, Weld, and Yuma, Colorado, said certificates to be effective November 18, 1964, and to continue in force for a period of ninety (90) days thereafter.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

CHAIRMAN ZARLENGO NECESSARILY ABSENT
AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 18th day of November, 1964.

et.

Original

(Decision No. 64104)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE INVESTIGATION AND SUSPENSION OF)
CERTAIN PROPOSED EXCHANGE RATES OF)
MOUNTAIN STATES TELEPHONE & TELE-)
GRAPH COMPANY, COLORADO TARIFF NO. 5.)

CASE NO. 5284
ORDER TO SHOW CAUSE
AND
NOTICE OF HEARING

November 18, 1964

S T A T E M E N T

By the Commission:

On November 13, 1964, a Petition was filed with the Commission wherein 23 citizens of Boulder asked that a hearing be held for determining whether or not a poll should be taken of telephone subscribers in the City of Boulder and the Boulder Exchange area of the Mountain States Telephone & Telegraph Company to assist the Commission in its determination of whether the full inclusion of Boulder in the "Metro 65 Plan" may, or may not, be in the public interest.

Heretofore, and on October 23, 1964, this Commission entered its Decision No. 63921 setting for hearing certain Petitions and protests thereto in the matter of whether or not the Boulder Exchange area of Mountain States Telephone & Telegraph Company should be fully included in the "Metro 65 Plan" of the aforesaid company which hearings were, by that Order, set for December 9th and 10th, 1964, at Macky Auditorium, Boulder, Colorado.

The original Petitions and objections to Petitions on the basis of which Decision No. 63921 was made, were submitted by the Chamber of Commerce of the City of Boulder and the Junior Chamber of Commerce of the City of Boulder and other interested parties.

F I N D I N G S

THE COMMISSION FINDS THAT:

1. The facts hereinabove set forth are true and correct and ought to be, and hereby are, included in these Findings.

2. It would not be in the public interest and public convenience and necessity would not be served by granting said Petition.

O R D E R

THE COMMISSION ORDERS THAT:

1. The Petition hereinabove described requesting the holding of a hearing to determine whether or not a poll should be conducted in Boulder and the Boulder Exchange area ought to be, and hereby is, denied.

2. This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 18th day of November, 1964.

et.

orig copy

(Decision No. 64105)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
C. H. WHITE JR.)
307 East Alameda)
Iowa Park, Texas)
)
)

AUTHORITY NO. PUC 5699-I

CASE NO. 17716 Ins.

November 20, 1964

S T A T E M E N T

By the Commission:

On October 21, 1964, 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

Henry E. Zarlengo

Howard S. Bjelland

Ralph C. Hinkley

Commissioners

Dated at Denver, Colorado,
this 20th day of November, 1964

original copy

(Decision No. 64106)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
K. L. VAN VALKENBURG)
Box 232)
Arvada, Colorado)
)
)
- - - - - - - - - - - - - - - - - -)

AUTHORITY NO. B 4189

CASE NO. _____

November 20, 1964

S T A T E M E N T

By the Commission:

On November 4, 1964, 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

Henry E. Zarlengo
Howard S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 20th day of November, 1964

(Decision No. 64107)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
)
DON GOSNEY, DOING BUSINESS AS,)
"WEST SLOPE IMPLEMENT COMPANY", 270) PERMIT NO. M-8870
8TH AVENUE, DURANGO, COLORADO.)
)
)

November 25, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Don Gosney, doing business as, "West Slope Implement Company", Durango, Colorado requesting that Permit No. M-8870 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8870, heretofore issued to Don Gosney, doing business as, "West Slope Implement Company", Durango, Colorado be, and the same is hereby, declared cancelled effective October 15, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard L. Bjelland

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,

this 25th day of November, 19 64.

hc

(Decision No. 64108)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
CARL NYMAN, SR. AND CARL NYMAN, JR.,)
DOING BUSINESS AS, "CARL NYMAN AND)
SON", P. O. BOX 711, PRICE, UTAH.) PERMIT NO. M-9491
)
----------)

November 25, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Carl Nyman, Sr. & Carl Nyman, Jr., dba "Carl Nyman & Son", Price, Utah requesting that Permit No. M-9491 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-9491, heretofore issued to Carl Nyman, Sr. & Carl Nyman, Jr., dba "Carl Nyman & Son", Price, Utah be, and the same is hereby, declared cancelled effective October 12, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Harold S. Bjelland

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,
this 25th day of November, 19 64.

hc

(Decision No. 64109)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
FLOYD R. CLARK, 1019 SOUTH 10TH)
STREET, LAMAR, COLORADO.)
) PERMIT NO. M-10072
)
)

November 19, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Floyd R. Clark, Lamar, Colorado requesting that Permit No. M-10072 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10072, heretofore issued to Floyd R. Clark, Lamar, Colorado be, and the same is hereby, declared cancelled effective October 5, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard L. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 25th day of November, 19 64.

hc

(Decision No. 64110)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
LE ROY LACHMAN, DOING BUSINESS AS,)
"COLORADO AUTOMOTIVE", 1101 HUMBOLDT)
STREET, DENVER 18, COLORADO.) PERMIT NO. M-10702
)
)

November 25, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Le Roy Lachman, doing business as, "Colorado Automotive", Denver 18, Colorado requesting that Permit No. M-10702 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10702, heretofore issued to Le Roy Lachman, doing business as, "Colorado Automotive", Denver 18, Colorado be, and the same is hereby, declared cancelled effective September 30, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard S. Bjelland
Ralph L. Carlson
Commissioners

Dated at Denver, Colorado,

this 25th day of November, 19 64.

hc

(Decision No. 64111)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
ARTHUR SALIMENO, 1131 SOUTH PRAIRIE,)
SUNSET PLAZA, PUEBLO, COLORADO.)
) PERMIT NO. M-14462
)
)

November 25, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Arthur Salimeno, Pueblo, Colorado requesting that Permit No. M-14462 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14462, heretofore issued to Arthur Salimeno, Pueblo, Colorado be, and the same is hereby, declared cancelled effective September 30, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard S. Bjelland
Ralph L. Carlson
Commissioners

Dated at Denver, Colorado,
this 25th day of November, 19 64.

hc

(Decision No. 64112)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
HAROLD E. HEINTZ, DOING BUSINESS AS,)
"L AND H COMPANY", 8820 FRANCIS DRIVE,) PERMIT NO. M-14844
LAKEWOOD, COLORADO.)
)

November 25, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Harold E. Heintz, doing business as, "L & H Company", Lakewood, Colorado requesting that Permit No. M-14844 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14844, heretofore issued to Harold E. Heintz, doing business as, "L & H Company", Lakewood, Colorado be, and the same is hereby, declared cancelled effective October 11, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 25th day of November, 19 64.

hc

(Decision No. 64113)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
LEO PRATHER, DOING BUSINESS AS,)
"LEO'S PLUMBING", 540 WEST 7TH STREET,) PERMIT NO. M-15561
WRAY, COLORADO.)
)

November 25, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Leo Prather, doing business as, "Leo's Plumbing", Wray, Colorado requesting that Permit No. M-15561 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15561, heretofore issued to Leo Prather, doing business as, "Leo's Plumbing", Wray, Colorado be, and the same is hereby, declared cancelled effective October 12, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 25th day of November, 19 64.

hc

(Decision No. 64114)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
H. W. LEGG, DOING BUSINESS AS, "LEGG CONSTRUCTION COMPANY", WAUNETA, NEBRASKA.) PERMIT NO. M-15617

November 25, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from H. W. Legg, doing business as, "Legg Construction Company", Wauneta, Nebraska requesting that Permit No. M-15617 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15617, heretofore issued to H. W. Legg, doing business as, "Legg Construction Company", Wauneta, Nebraska be, and the same is hereby, declared cancelled effective October 20, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 25th day of November, 19 64.

hc

(Decision No. 64115)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
)
LA VERE R. HOWARD, ROUTE 1, ROCKY)
FORD, COLORADO.) PERMIT NO. M-15863
)
)

November 25, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from La Vere R. Howard, Rocky Ford, Colorado requesting that Permit No. M-15863 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15863, heretofore issued to La Vere R. Howard, Rocky Ford, Colorado be, and the same is hereby, declared cancelled effective October 8, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard L. Bjelland

Roger C. Horton

Commissioners

Dated at Denver, Colorado,

this 25th day of November, 19 64.

hc

(Decision No. 64116)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
)
MYRON B. BAKER, DOING BUSINESS AS,)
"MYRON BAKER PRODUCE", P. O. BOX 231,) PERMIT NO. M-908
CLAYTON, NEW MEXICO.)
)
----------)

November 25, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Myron B. Baker, doing business as, "Myron B. Baker Produce", Clayton, New Mexico requesting that Permit No. M-908 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-908, heretofore issued to Myron B. Baker, doing business as, "Myron B. Baker Produce", Clayton, New Mexico be, and the same is hereby, declared cancelled effective October 16, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,

this 25th day of November, 19 64.

hc

(Decision No. 64117)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF MIDWEST HAULERS, INC., 602 WEST 62ND AVENUE, DENVER, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 20380-PP
SUPPLEMENTAL ORDER

November 23, 1964

Appearances: Ben Klein, Esq., Denver, Colorado, for Applicant;
Leslie R. Kehl, Esq., Denver, Colorado, for Red Ball Motor Freight, Inc.;
Ernest Porter, Esq., Denver, Colorado, for Rio Grande Motor Way, Inc.;
Peter J. Crouse, Esq., Denver, Colorado, for Don Ward, Inc.;
Joseph F. Nigro, Esq., Denver, Colorado, for Goldstein Transportation & Storage, Inc., Duffy Storage & Moving Company, Weicker Transfer & Storage Company, North Denver Transfer & Storage Company, Inc., Capitol Hill Transfer & Storage, Buehler Transfer Company;
John P. Thompson, Esq., Denver, Colorado, for Southwestern Transportation Company, Boulder-Denver Truck Line, Denver-Climax Truck Line, Inc., Denver-Laramie-Walden Truck Line, Denver-Loveland Transportation, Inc.;
Truman A. Stockton, Jr. Esq., Denver, Colorado, for Colorado Cartage Company, Inc., John Bunning Transfer, Inc.

STATEMENT AND FINDINGS OF FACT

By the Commission:

On November 6, 1964, the Commission entered its Decision No. 64008, revoking operating rights granted to the above-styled Applicant by Decision No. 63114, of date June 17, 1964, for failure of said Applicant to comply with requirements set forth in said Decision No. 63114, viz., failure to file tariff.

It now appears that Applicant has complied with all requirements set forth in Decision No. 63114, and requests reinstatement of operating rights granted by said Decision.

The Commission states and finds that said request should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 64008, of date November 6, 1964, be, and the same hereby is, set aside, vacated, and held for naught, as of said 6th day of November, 1964, and operating rights heretofore granted to the above-styled Applicant by Decision No. 63114, of date June 17, 1964, be, and the same hereby are, restored to active status, as of said date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

CHAIRMAN HENRY E. ZARLENGO NECESSARILY ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 23rd day of November, 1964.

et.

Original

(Decision No. 64118)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF BARTON KREIDER, GRANT, NEBRASKA, FOR AUTHORITY TO EXTEND OPERATIONS UNDER PERMIT NO. B-5900, TO INCLUDE THE RIGHT TO TRANSPORT EGGS FROM FLEMING, HAXTUN, PAOLI, AND HOLYOKE, COLORADO, TO DENVER, COLORADO, FOR MOSS BROTHERS, ONLY.	APPLICATION NO. 20504-PP-Extension SUPPLEMENTAL ORDER

November 23, 1964

Appearances: Barton Kreider, Grant, Nebraska, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

On November 6, 1964, the Commission entered its Decision No. 64009, revoking operating rights granted to the above-styled Applicant by Decision No. 63229, of date July 7, 1964, for failure of said Applicant to comply with requirements set forth in said Decision No. 63229, viz., failure to file tariff.

It now appears that Applicant has complied with all requirements set forth in Decision No. 63229, and requests reinstatement of operating rights granted by said Decision.

The Commission states and finds that said request should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 64009, of date November 6, 1964, be, and the same hereby is, vacated, set aside, and held for naught, as of said 6th day of November, 1964, and operating rights heretofore granted

to the above-styled Applicant by Decision No. 63299, of date July 7, 1964, be, and the same hereby are, restored to active status, as of said date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

CHAIRMAN HENRY E. ZARLENGO NECESSARILY ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 23rd day of November, 1964.

et.

(Decision No.64119)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
KELLY FIORENTINI, WESTON, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE) APPLICATION NO. 20808-PP
AS A PRIVATE CARRIER BY MOTOR)
VEHICLE FOR HIRE.)

November 23, 1964

Appearances: Kelly Fiorentini, Weston, 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 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 fifty-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, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At 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 conclusions.

Report of the Examiner states that at the hearing, Applicant herein appeared and testified in support of his application, stating if authority herein sought is granted, he will enter into special carriage contracts to provide needed and specialized service for certain shippers who have requested his proposed service; that he

has ample and suitable equipment, sufficient net worth and operating experience with which to render said service.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for Applicant's proposed transportation service; that Applicant will have sufficient equipment and experience to properly carry on the proposed operation; that Applicant's financial standing is established to the satisfaction of the Commission; that it does not appear that Applicant's proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; 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 Kelly Fiorentini, Weston, 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 fifty miles of said forests; rough lumber, from sawmills in said fifty-mile radius, to markets in the State of Colorado, with no town-to-town service; and this ORDER shall be deemed to be, and be, 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

CHAIRMAN HENRY E. ZARLENGO NECESSARILY ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 23rd day of November, 1964.

et.

(Decision No. 64120)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CLARENCE E. BAYLESS, ROUTE 2, BOX)
385, ROCKY FORD, COLORADO, FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE) APPLICATION NO. 20815
AND NECESSITY TO OPERATE AS A COMMON)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

November 23, 1964

Appearances: Cover Mendenhall, Esq., Rocky Ford, Colorado, for Applicant;
Eddie Wilson, Rocky Ford, Colorado, for Silvers & Wilson Truck Service.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the above-styled application, as amended at the hearing, Clarence E. Bayless, Rocky Ford, Colorado, seeks a certificate of public convenience and necessity, authorizing operation as a common carrier by motor vehicle for hire, for the transportation of farm products, excluding livestock, between points in the Counties of Crowley and Otero, Colorado; restricted, however, to the use of bob-tail equipment, only, and to the establishment of an office in Otero County, Colorado, only.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At 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 conclusions.

Applicant appeared at the hearing and testified in support of his application, stating he has received many requests for his

proposed service; that a definite need exists in the area sought to be served; that he has ample and suitable equipment, sufficient net worth and operating experience with which to perform said proposed service.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that Applicant will have sufficient equipment and experience to properly carry on the proposed operation; that Applicant's financial standing is established to the satisfaction of the Commission; that public convenience and necessity require Applicant's proposed 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 Clarence E. Bayless, Rocky Ford, Colorado, be, and he hereby is, authorized to operate as a common carrier by motor vehicle for hire, for the transportation of farm products, excluding livestock, between points in the Counties of Crowley and Otero, Colorado; restricted, however, to the use of bob-tail equipment, only, and to the establishment of an office in Otero County, Colorado, only; and this ORDER shall be deemed to be, and be, a CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY therefor.

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

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

CHAIRMAN HENRY E. ZARLENGO NECESSARILY ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 23rd day of November, 1964.

et.

Original

(Decision No. 64121)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF GENE GOOD, 1819 POPLAR, CANON CITY, COLORADO, FOR AUTHORITY TO TRANSFER PERMIT NO. B-6324 TO ROBERT G. PAXTON, 139 FORDHAM CIRCLE, PUEBLO, COLORADO.	APPLICATION NO. 20810-PP-Transfer

November 23, 1964

STATEMENT AND FINDINGS OF FACT

By the Commission:

Heretofore, Gene Good, Canon City, Colorado, was authorized to operate as a private carrier by motor vehicle for hire, (Permit No. B-6324), for the transportation of:

> potatoes, in truck-load lots, between Blanca and Alamosa, Colorado, and Pueblo, Colorado Springs, and Denver, Colorado, and points within a radius of ten miles of each, for Simeone Brothers Potato Company, Inc., of Denver, Colorado.

By the above-styled application, said permit-holder seeks authority to transfer Permit No. B-6324 to Robert G. Paxton, Pueblo, Colorado.

Said application was regularly set for hearing before the Commission, and an Examiner was duly designated to conduct said hearing, he thereafter to submit a report of said proceedings to the Commission.

Report of the Examiner states that at the hearing, applicants failed to appear, either in person or by representative. Thereupon, the files were made a part of the record, and the matter was taken under advisement.

From the files and other inquiry, it appears that Transferee will have ample and suitable equipment, sufficient net worth and oper-

ating experience with which to continue operations under Permit No. B-6324.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that transferee will have sufficient equipment and experience to properly carry on the operation; that transferee's financial standing is established to the satisfaction of the Commission; 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 Gene Good, Canon City, Colorado, be, and he hereby is, authorized to transfer all right, title, and interest in and to Permit No. B-6324 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Robert G. Paxton, Pueblo, Colorado, subject to encumbrances, if any, against said permit approved by this Commission.

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

The right of transferee to operate under this Order shall depend upon his compliance with all present and future laws and rules

and regulations of the Commission, and the prior filing by transferor of delinquent reports, if any, covering operations under said permit up to the time of transfer of said permit.

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

CHAIRMAN HENRY E. ZARLENGO NECESSARILY
ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 23rd day of November, 1964.

mls

original

(Decision No. 64122)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GENE GOOD, 1819 POPLAR, CANON CITY,)
COLORADO, FOR AUTHORITY TO TRANSFER)
PUC NO. 5140 AND PUC NO. 5140-I TO) APPLICATION NO. 20811-Transfer
ROBERT G. PAXTON, 139 FORDHAM CIRCLE,)
PUEBLO, COLORADO.)

November 23, 1964

STATEMENT AND FINDINGS OF FACT

By the Commission:

Heretofore, Gene Good, Canon City, Colorado, was granted certificates of public convenience and necessity (PUC No. 5140 and PUC No. 5140-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;
>
> transportation of lettuce, in truck load lots, from Blanca and Alamosa, Colorado, and points within a ten mile radius thereof, to Pueblo, Colorado Springs, and Denver, Colorado, and points within a ten mile radius thereof.

By the above-styled application, said certificate-holder seeks authority to transfer said operating rights to Robert G. Paxton, Pueblo, Colorado.

Said application was regularly set for hearing before the Commission, and an Examiner was designated to conduct said hearing, he thereafter to submit a report of said proceedings to the Commission.

Report of the Examiner states that at the hearing, applicants herein failed to appear, either in person or by representative. Thereupon the files were made a part of the record and the matter was taken

under advisement.

From the files and other inquiry, it appears that Transferee herein will have suitable equipment, sufficient net worth and operating experience with which to continue operations under said certificates.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that transferee will have sufficient equipment and experience to properly carry on the operation; that transferee's financial standing is established to the satisfaction of the Commission; 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 Gene Good, Canon City, Colorado, be, and hereby is, authorized to transfer all right, title, and interest in and to PUC No. 5140 and PUC No. 5140-I -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Robert G. Paxton, Pueblo, Colorado, subject to encumbrances, if any, against said certificates approved by this Commission, transfer of interstate operating rights being subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

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

authority herein granted to make the transfer, without further Order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

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

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

CHAIRMAN HENRY E. ZARLENGO NECESSARILY
ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 23rd day of November, 1964.

mls

original

(Decision No. 64123)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF ANNA GASPERETTI, DOING BUSINESS AS "GARDNER-REDWING FREIGHT LINE," 111 WEST 10TH STREET, WALSENBURG, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY, AUTHORIZING EXTENSION OF OPERATIONS UNDER PUB NO. 5764.

APPLICATION NO. 20812-Extension

November 23, 1964

Appearances: Albert J. Tomsic, Esq., Walsenburg, Colorado, for Applicant.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Heretofore, Applicant herein was granted a certificate of public convenience and necessity (PUC No. 5764), authorizing operation as a common carrier by motor vehicle for hire, for the transportation of:

> freight and general commodities from Walsenburg, Colorado, to Gardner and Redwing, Colorado, and intermediate points, in Huerfano County, Colorado, on a schedule of not less than once a week;
>
> extended to include the transportation, in interstate and foreign commerce, in the State of Colorado, only, within the limits of said Certificate.

By the above-styled application, said certificate-holder seeks authority to extend operations under PUC No. 5764, to include the right to operate from Walsenburg, Colorado, to points within that part of a twenty-five mile radius of Gardner, Colorado, which lies within Huerfano County, on a non-scheduled, mileage-rate basis, only.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom

the hearing was assigned by the Commission. At 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 conclusions.

At the hearing, applicant appeared and testified in support of the application, stating she had had many requests for her proposed extended service; that a definite need exists for said proposed service; that she has ample and suitable equipment, sufficient net worth and operating experience with which to render said service.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that applicant will have sufficient equipment and experience with which to properly carry on said proposed extended operation; that applicant's financial standing is established to the satisfaction of the Commission; that public convenience and necessity require Applicant's proposed extended motor vehicle common carrier transportation service, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Anna Gasperetti, doing business as "Gardner-Redwing Freight Line," Walsenburg, Colorado, be, and she hereby is, authorized to extend operations under PUC No. 5764, to include the right to transport general commodities, on call and demand, from Walsenburg, Colorado, to points within that part of a twenty-five mile radius of Gardner, Colorado, which lies within Huerfano County, Colorado; and this ORDER shall be deemed to be, and 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 her carrier system in accordance with the Order of the Commission, except when prevented by Act of God, the public enemy or extreme conditions.

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

CHAIRMAN HENRY E. ZARLENGO NECESSARILY
ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 23rd day of November, 1964.

mls

(Decision No. 64124)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
)
TONY MANCINELLI, DOING BUSINESS AS,)
"P. MANCINELLI GROCERY", 3217½)
OSAGE STREET, DENVER 11, COLORADO)
)

PERMIT NO. M-2240

November 25, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Tony Mancinelli, doing business as, "P. Mancinelli Grocery", Denver 11, Colorado requesting that Permit No. M-2240 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2240, heretofore issued to Tony Mancinelli, doing business as, "P. Mancinelli Grocery", Denver 11, Colorado be, and the same is hereby, declared cancelled effective November 2, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard L. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,

this 25th day of November, 19 64.

hc

(Decision No. 64125)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
JAKE GONZALES, JR., GENERAL DELIVERY,)
STARKVILLE, COLORADO.) PERMIT NO. M-3114
)
)

December 3, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Jake Gonzales, Jr., Starkville, Colorado requesting that Permit No. M-3114 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-3114, heretofore issued to Jake Gonzales, Jr., Starkville, Colorado be, and the same is hereby, declared cancelled effective October 17, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard S. Bjelland
Joseph C. Horlon
Commissioners

Dated at Denver, Colorado,
this 3rd day of December, 19 64.

hc

(Decision No. 64126)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
RUTH G. MARTINEZ, DOING BUSINESS AS,)
"BUTTER CUP BAKERY", 132 ADAMS STREET,) PERMIT NO. M-4682
MONTE, VISTA, COLORADO.)
)

December 3, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Ruth G. Martinez, doing business as, "Butter Cup Bakery", Monte Vista, Colorado requesting that Permit No. M-4682 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4682, heretofore issued to Ruth G. Martinez, doing business as, "Butter Cup Bakery", Monte Vista, Colorado be, and the same is hereby, declared cancelled effective November 10, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard S. Bjelland
Ruth C. Hanson
Commissioners

Dated at Denver, Colorado,
this 3rd day of December, 19 64.

hc

(Decision No. 64127)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
C. D. FREEMAN, 6370 WEST COLFAX AVENUE, LAKEWOOD, COLORADO.) PERMIT NO. M-4991

December 3, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from C. D. Freeman, Lakewood, Colorado requesting that Permit No. M-4991 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4991, heretofore issued to C. D. Freeman, Lakewood, Colorado be, and the same is hereby, declared cancelled effective November 5, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Harold S. Bjelland
Ralph L. Carr
Commissioners

Dated at Denver, Colorado,
this 3rd day of December, 19 64.

hc

(Decision No. 64128)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
WILLARD T. TEN EYCKE, P. O. BOX 244,)
MERINO, COLORADO.)
) PERMIT NO. M-6421
)
)

December 3, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Willard T. Ten Eycke, Merino, Colorado requesting that Permit No. M-6421 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6421, heretofore issued to Willard T. Ten Eycke, Merino, Colorado be, and the same is hereby, declared cancelled effective November 9, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard S. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,
this 3rd day of December, 19 64.

hc

(Decision No. 64129)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
EDWIN FADENRECHT, KIRK, COLORADO.)
)
) PERMIT NO. M-7170
)
)

December 3, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Edwin Fadenrecht, Kirk, Colorado requesting that Permit No. M-7170 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7170, heretofore issued to Edwin Fadenrecht, Kirk, Colorado be, and the same is hereby, declared cancelled effective October 23, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard S. Bjelland
Ralph C. Hodges
Commissioners

Dated at Denver, Colorado,
this 3rd day of December, 19 64.

hc

SUSPENSION ORDER--PRIVATE CARRIER (Decision No 64130)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
EVERETT MALONE, 1454 JERSEY)
STREET, DENVER 20, COLORADO.)
)
)
)

PERMIT NO. B-2928

December 3, 1964

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-2928 be further suspended for six months from December 2, 1964.

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 Everett Malone, Denver 20, Colorado

be, and is hereby, authorized to further suspend his operations under Permit No. B-2928 until June 2, 1965.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 3rd day of December, 1964.

hc

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 64131)

* * *

RE MOTOR VEHICLE OPERATIONS OF PASCHAL H. SPERO, 5450 PRIMROSE LANE, DENVER 21, COLORADO.

PERMIT NO. B-5441

December 3, 1964

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-5441 be suspended for six months from October 18, 1964.

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 Paschal H. Spero, Denver 21, Colorado

be, and is hereby, authorized to suspend his operations under Permit No. B-5441 until April 18, 1965.

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

Henry E. Zarlengo
Harold D. Dillard
Roger C. Hansen
Commissioners

Dated at Denver, Colorado,
this 3rd day of December, 19 64.

hc

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 64132)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
W. R. COOPER, 5180 WEST HARVEY)
PLACE, DENVER 19, COLORADO.)
)
)
)

PERMIT NO. B-6173

December 3, 1964

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-6173 be suspended for six months from November 6, 1964.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That W. R. Cooper, Denver 19, Colorado

be, and is hereby, authorized to suspend his operations under Permit No. B-6173 until May 6, 1965.

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

Henry E. Zarlengo

Howard S. Gilland

Ralph L. Carr
Commissioners

Dated at Denver, Colorado,
this 3rd day of November, 1964.

hc

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 64133)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
OTIS WATSON, 2022 MARSHALL)
STREET, DENVER 15, COLORADO.)
)
)
)

PERMIT NO. B-6282

December 3, 1964

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-6282 be suspended for six months from October 31, 1964.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Otis Watson, Denver 15, Colorado

be, and is hereby, authorized to suspend his operations under Permit No. B-6282 until April 30, 1965.

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

Henry E. Zarlengo
Howard S. Bjelland
Roger C. Hansen
Commissioners

Dated at Denver, Colorado,
this 3rd day of December, 19 64.

hc

(Decision No. 64134)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
BOTSFORD READY MIX COMPANY, P. O. BOX)
6827, PARKWAY STATION, KANSAS CITY 30,)
MISSOURI.) PERMIT NO. B-6411
)
)

December 3, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Botsford Ready Mix Co., Kansas City 30, Missouri requesting that Permit No. B-6411 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-6411, heretofore issued to Botsford Ready Mix Co., Kansas City 30, Missouri be, and the same is hereby, declared cancelled effective November 15, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard S. Bjelland
Ralph C. Harlow
Commissioners

Dated at Denver, Colorado,

this 3rd day of December, 19 64.

hc

Original

(Decision No. 64135)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE USE OF THE PROVISIONS OF THE NATIONAL MOTOR FREIGHT CLASSIFICATION REGARDING PACKING REQUIREMENTS, ETC., AND CHANGES IN RATES FOR ACCOUNT OF DENVER CLIMAX TRUCK LINE, INC., AND EVERGREEN FREIGHT LINE	)	CASE NO. 1585

November 19, 1964

STATEMENT and FINDINGS

BY THE COMMISSION:

Under the provisions of Rule 18, paragraph C-(1) - (A) of the "Rules of Practice and Procedure" of the Commission, the Colorado Motor Carriers' Association, Agent, filed, on October 15, 1964, revised pages to its Tariff No. 12-A, Colorado PUC No. 11* (* The Motor Truck Common Carriers' Association, Agent, Series) scheduled to become effective November 20,1964, naming new rates, rules and regulations as provided in items 10,1150 and 1215 in Appendix "A", attached hereto and hereby made a part hereof.

With reference to Item No. 10, Mr. Wally Fletchinger, Assistant General Traffic Manager, Rio Grande Motor Way, Inc., states in a letter dated September 17,1964, transmitted to the Commission by the association, that the proposal is identical to the provisions published in Item No. 10, Colorado Motor Carriers' Association Tariff No. 13, which became effective June 6, 1964, and that: -- "This is an attempt at tariff simplification whereby the tariff will not become cluttered with various notes and statements that apply to specific headings or listings in *NMFC. At the present time there can be found many commodities in the commodity rate Section of CmCaA No. 12-A that have no packing requirement provisions, for example. Rather than amend each commodity item to coincide with the packing requirements in NMFC*, it is felt that this proposal will solve the matter more simply."

*NMFC means National Motor Freight Classification

Items Nos. 1150 and 1215 are related items. The 1150 item

describes the commodities that may be transported under the rates provided in 1215.

Mrs. Lois Mae Eshe, Manager for the Denver-Climax Truck Line, Inc., is the proponent of the changes involved in these items.

In support of the changes the following is quoted from Mrs. Eshe's letter received by the Commission on October 21, 1964, (forwarded by the Association).

> "We have recently been working with the Public Service Company of Colorado in an effort to simplify our mutual rate problems. *** portion deleted *** It is our belief that these items are no more difficult to handle than the items already in "Pole Line Construction Material." Many shipments from Public Service are volume shipments which could be rated on a volume basis under tariff 13. We discussed these things with Mr. Byers and they agreed to permit the removal of transformers from Item 470, due to their value and difficulty in handling. Our belief and contention that transformers are a very delicate item requiring much care in handling and the cost is many times the cost of other items in the pole line construction material. Claims alone, on the item makeit unfeasible to haul at the lower rates applicable in 13."
>
> "In an effort to establish uniformity in 12-A and 13, will you please consider removing from Item 1215 the minimum rates, 10,000 in paragraph 2, for the account of Denver-Climax. Where reference is made to this note rates will apply on both interstate and intrastate traffic. Rates published in this item will also apply at directly intermediate points via routes specified."

Under the provisions of Rule 18, paragraph C-(1)-(A), of the 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 schedules. Since the proposals appear to represent just, fair and reasonable rates and charges an order should be entered prescribing the said changes.

O R D E R

THE COMMISSION ORDERS, That:

1. The Statement, Findings and Appendix "A" attached hereto, be,

and they are hereby, made a part hereof.

2. The rates, rules, regulations as set forth in Appendix "A", shall be the prescribed rates, rules, regulations and provisions of the Commission.

3. All motor vehicle common carriers who are affected by the changes prescribed herein shall publish or cause to be published tariffs reflecting the changes prescribed herein.

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

5. On and after November 20, 1964, 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, however, call and demand carriers by motor vehicle shall be subject to the twenty (20) percent penalty when in competition with scheduled carriers.

6. On and after November 20, 1964, all private carriers by motor vehicle operating in competition with any motor vehicle common carrier, affected by this order, shall cease and desist from demanding, charging and collecting rates and charges which shall be less than those herein prescribed, provided, however, Class B private carriers by motor vehicle shall be subject to the twenty (20) percent penalty when in competition with scheduled carriers.

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

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

9. This order shall become effective forthwith.

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

Commissioner Henry E. Zarlengo not participating

Dated at Denver, Colorado, this
19th day of November, 1964

av

APPENDIX "A"

COLORADO MOTOR CARRIERS ASSOCIATION, AGENT
Local and Joint Freight Tariff -- 12-A
Colorado P U C No. 11

Changes effective November 20, 1964:

11th Revised Page No. 52

Item No.	GOVERNING PUBLICATIONS

Except as otherwise provided, this tariff is governed by the following described tariff publications, supplements thereto, or successive issues thereof:

National Motor Freight Traffic Association, Inc., Agent, National Motor Freight Classification No. A-7, West, MF-I. C. C. No. 5, Colo. P.U.C. No. 4, only insofar as it applies to traffic moving at less-than-truckload or any quantity ratings; except that the classification truckload ratings and minimum weights will apply on traffic transported by the carriers named in Items No. 60 and 65 hereof as provided in those items. (See Note)

10 Where descriptive headings or individual listings shown in this tariff correspond to the descriptive headings or individual listings used in the governing classification, such descriptive headings or individual listings will be understood to include all notes or other qualifying statements, including packing requirements, which appear in connection with such corresponding descriptive headings or individual listings in the governing classification.

NOTE: Except as otherwise provided, where there is a conflict between the rules published in this tariff and those published in the governing classification, the rules published in this tariff will apply.

American Trucking Associations, Inc., Agent, Motor Carriers' Explosives and Dangerous Articles Tariff No. 11, NF-I.C.C. No. 12, Colo P.U.C No. 9.

2nd Revised Page No. 100-B

COMMODITY DESCRIPTIVE LISTS

Item No.	ARTICLES

ARTICLES, VIZ.: (concluded)
Lumber, Veneer or Forest Products:
Lumber or Veneer, NOI Native Wood, Canadian Wood or Mexican Pine; exceeding 1/8 inch thick.
Piling, Wooden.
Poles, Wooden, NOI.
1150 Posts, Wooden, NOI
(con- Machinery or machines, or parts named, as described under
cluded) that heading in NMFC carrying an LTL rating of Class 92 1/2 or lower.

COMMODITY DESCRIPTIVE LISTS (continued)

Oil, Water or Gas Well Outfits or Supplies, as described under that heading in NMFC.

Outfits, Bridge Builders', Contractors' or Graders', NOI, without livestock, as described under that subheading in NMFC.

Pole Line Construction Material, as described under that heading in NMFC including ✓ (R) Anchor Blocks, Concrete, ✓ (R) Guy Grips, ✓ (R) Insulators, as described under that heading in National Motor Freight Classification, and ✓ (R) Pole Markers.

12th Revised Page No. 191-A

SECTION NO. 2

COMMODITY RATES

(For application, see Page 190 of Tariff)

Rates are in cents per 100 pounds (unless otherwise stated)

Item No.	Commodity Commodities in the same item may be shipped in straight or mixed truck loads.	From (Except as noted in individual items)	To	Rates	Route No.
		BETWEEN	AND		
			COLORADO	(3)	
	Articles, as described in Item No. 1150	Denver, Colo.	Alamosa	75	87
			Delta (A)	97	
			Glenwood Springs (A)	66	
	(1) Min. Wt. 10,000 lbs.		Grand Junct. (A)	92	
	(2) Min. Wt. 15,000 lbs.		Grand Valley (A)	77	
	(3) Min. Wt. 20,000 lbs.		Gunnison (C)	77	87
	(4) Min. Wt. 30,000 lbs.		Leadville (B)	54	
	(Subject to Item 770.)		Montrose (C)	95	
	Rates published in this item will also apply at directly intermediate points via routes specified		Rifle (A)	74	
			Salida (C)	63	
		BETWEEN	AND		
		Denver, Colo.		(1) (2) (3)	
			Air Force Acad.	38 36 35	47
			Brighton	23 22 21	7
1215	If the charge accruing under Item 2030 on the commodity transported		Colorado Spgs.	43 40 39	47
			Ft. Carson	46 43 42	47
(con-	from origin to destina-		Ft. Lupton	26 25 25	7
clu-	tion, over the same		Greeley	38 36 35	7
ded	route, is lower than the		La Junta	74 68 67	47
on	charge provided in this		Lamar	83 76 75	47
page	item, the charge accruing		Las Animas	79 73 72	47
191-B)	under Item 2030 will apply.		Pueblo	54 50 49	47
	(See page 191-B for explana-		Rocky Ford	70 65 64	47
	tion of (A), (B) (C), (1), (2)		Trinidad	79 73 72	47
	and (3).		Walsenburg	68 63 62	47
		BETWEEN	AND	(3)	
	NOTE 1. Where reference is made to this Note, rates will apply only on inter-		Delta (1)	88	
		Pueblo, Colo.	Glenwood Spgs. (3)	88	
			Grand Junct. (1)	97	
	state traffic.		Grand Valley (3)	97	
			Gunnison (1)	66	87
	NOTE 3: Rates applicable via Evergreen Freight Line (Route 2) will apply on ship-		Leadville (2)	64	
			Montrose (1)	83	
			Rifle (3)	95	
	ments not exceeding 26 feet in length.		Salida (1)	47	

12th Revised Page No. 191-A (continued)

BETWEEN	AND	(1)	(2)	(3)	
	Bergen Park	(E)(A)	25	--	
	Brook Forest	(E)(A)	29	--	
Denver, Colo.	Brookvale	(E)(A)	29	--	
(See Note 3)	El Rancho	(E)(A)	22	21	
	Evergreen	(E)(A)	25	--	2
	Hosa Lodge	(E)(A)	22	21	
	Idledale	(E)(A)	22	21	
	Kittredge	(E)(A)	25	--	
	Marshdale	(E)(A)	29	--	
	Mt. Vernon	(E)(A)	22	21	
	Troutdale	(E)(A)	25	--	

7th Revised Page No. 191-B

SECTION NO. 2

COMMODITY RATES

(For application, see Page 190 pf Tariff)

Rates are in cents per 100 pounds (unless otherwise stated)

Item No.	Commodity	From (Except as noted in individual items)	To	Rates			Route No.
	Articles, as Described	Between	AND	(1)	(2)	(3)	
	in Item No. 1150.		Air Force Acad.	38	36	35	47
	(1) Min. Wt. 10,000 lbs.		Brighton	61	56	55	26
	(2) Min. Wt. 15,000 lbs.	Pueblo, Colo.	Colo Springs	35	33	32	47
	(3) Min. Wt. 20,000 lbs.		Ft. Carson	30	29	29	47
	(4) Min. Wt. 30,000 lbs.		Ft. Lupton	63	59	58	26
	(Subject to Item 770.)		Greeley	70	65	64	26
	Applies only on Colorado		La Junta	43	40	39	47
	Intrastate Traffic, except		Lamar	61	56	55	47
	as noted.		Las Animas	49	46	45	47
	Note 2: Where reference		Rocky Ford	38	36	35	47
	is made to this Note, rates		Trinidad	49	46	45	47
	will apply on Both Inter-		Walsenburg	35	33	32	47
	state and Intrastate traffic.	Between	AND	(1)	(2)	(3)	(4)	
	Rates published in this							
	item will also apply at	Denver, Colo.	Climax, (E)(A)	47	46	43	30	
	directly intermediate	(See Note 2)						
1215	points via routes specified.							
(con-	If the charge accruing under Item 2030 on the same commodity transported from origin to							
cluded)	destination, over the same route, is lower than the charge provided in this item, the charge							
	accruing under Item 2030 will apply.							
	Explanation of routes over which rates apply via Rio Grande Motor Way, Inc.:							
	(A) Via Highways 6 and 40 to junction west of Idaho Springs, thence via Highway 6 to Dowds, thence via Highways 6 & 24 to Grand Junction, thence via U. S. Highway 50.							
	(B) Via Highways 6 and 40 to junction west of Idaho Springs, thence via Highway 6 to Wheeler, thence via Highway 91.							
	(C) Via Highways 85-87 to Colorado Springs, thence via 115 to junction with 120, thence via 120 to Canon City, thence via Highway 50 to destination.							
	(1) Via Highway 50 to destination.							
	(2) Via Highway 50 to Salida, thence via Highway 291 to junction with Highway 285, thence via Highway 285 to junction with Highway 24, thence via Highway 24 to destination.							
	(3) Via Highway 50 to Salida, thence via Highway 291 to junction with Highway 285, thence via Highway 285 to junction with Highway 24, thence via Highway 24 to Dowds, thence via Highway 6 and 24 to destination.							

/ denotes -- addition
(E) denotes -- elimination
(A) denotes --increase
(R) denotes --reduction

Route No. 2 -- Evergreen Freight Line
7 -- Bethke Truck Lines
26 -- Red Ball Motor Freight, Inc., Denver
Bethke Truck Lines
30 -- Denver Climax Truck Line, Inc.
47 -- Red Ball Motor Freight, Inc.
87 -- Rio Grande Motor Way, Inc.

(Decision No. 64136)

IN THE MATTER OF THE APPLICATION OF SAN ISABEL ELECTRIC ASSOCIATION, INC., A COLORADO CORPORATION, FOR AN ORDER AUTHORIZING IT TO ENTER INTO AN AMENDING LOAN CONTRACT WITH THE UNITED STATES OF AMERICA AND TO EXECUTE A NOTE TO SECURE A LOAN FROM THE RURAL ELECTRIFICATION ADMINISTRATION IN THE SUM OF $577,000.00.

APPLICATION NO. 20841
SECURITIES

S T A T E M E N T

By the Commission:

Upon consideration of the application filed November 18, 1964, by San Isabel 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 3, 1964, at 10:00 o'clock A. M., 532 State Services Building, Denver, Colorado, respecting matters involved and issues presented in the proceeding. Any 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 November 27, 1964, 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

CHAIRMAN ZARLENGO NECESSARILY
ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 20th day of November, 1964.

(Decision No. 64137)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE REDUCED RATES CINDERS, CLAY OR SHALE, (AGGREGATE)	INVESTIGATION & SUSPENSION DOCKET NO. 543

November 20, 1964

STATEMENT AND FINDINGS

BY THE COMMISSION:

On October 23, 1964, J. R. Smith, Chief of Tariff Bureau, Colorado Motor Carriers' Association, Agent, for an on behalf of William R. Brumfield and Olivet Atwood Brumfield, d/b/a Atwood Truck Line, Harold E. Watson, Jr. d/b/a Watson Transport Co., and The Weicker Transfer & Storage Company, filed 6th Revised Page No. 48-A to its Motor Freight Tariff No. 14, Colorado PUC No. 13* (*The Motor Truck Common Carriers Association, Agent, Series) naming reduced rates applicable on cinders, clay or shale (aggregate) in bulk, minimum weight 42,000 pounds transported from Idealite Company Plant site near Rocky Flats, Colorado to Fort Morgan, Colorado, $4.60 and Sterling, Colorado $5.80. Rates are in dollars and cents per ton of 2,000 pounds.

The reduced rates, may if permitted to become effective, result in reductions which may be in violation of the Public Utilities Law. It is the opinion of the Commission that the operation of said schedules should be suspended and an investigation instituted upon the Commission's own motion into and concerning the lawfulness thereof.

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 hearing shall be held to determine the lawfulness of the rates and provisions proposed by 6th Revised Page No. 48-A, Motor Freight Tariff No. 14, Colorado PUC No. 13, Colorado Motor Carriers' Association, Agent, published to become effective November 23, 1964.

3. The operation of said schedule shall be, and it hereby is, suspended, and the use thereof be deferred to and including March 23, 1965, unless otherwise ordered by the Commission.

4. The investigation in this proceeding shall not be confined to the matters and issues hereinbefore stated for instituting this investigation, but shall include all matters and issues with respect to the lawfulness of said schedules under the Public Utilities Law.

5. 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.

6. Seven days prior to the hearing date herein respondents shall provide the Secretary of the Commission with copies of any and all exhibits which respondents intend to introduce in evidence in support of its case.

7. A copy of this order shall be filed with the schedules in the office of the Commission and that copies hereof be served upon the carriers parties to said schedules and that said carriers be, and they are hereby, made respondent's to this proceeding. The necessary suspension supplement shall be issued, filed and posted to the schedule referred to herein.

8. This Investigation and Suspension Docket No. 543 be, and the same is hereby, set for hearing before the Commission on the 4th day of December, 1964 at 10:00 a.m., in the Hearing Room of the Commission, 532 State Services Building, 1525 Sherman Street, Denver, Colorado, 80203.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Commissioner Zarlengo necessarily absent and not participating.

Dated at Denver, Colorado, this
20th day of November, 1964.

dh

Original

(Decision No. 64138)

BEFORE THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

IN THE MATTER OF THE GENERAL INVESTIGATION OF THE RATES, RULES AND REGULATIONS FOR THE TRANSPORTATION OF OILFIELD EQUIPMENT, MATERIALS AND SUPPLIES, AND ACCESSORIAL SERVICES IN CONNECTION THEREWITH, BETWEEN POINTS WITHIN THE STATE OF COLORADO	)	CASE NO. 1585

November 20, 1964

Appearances:

Alvin J. Meiklejohn, Jr.
Richard D. Lamm
Attorneys for the Petitioners
526 Denham Building
Denver, Colorado 80202

I. E. Chenoweth for Shippers
Oil Field Traffic Association
616 So. Boston
Tulsa, Oklahoma

Dale P. Tursi
1010 N. Grand
Pueblo, Colorado for Shippers
Oil Field Traffic Association

Joseph M. Shelton for American
Association of Oil Well Drilling
Contractors (On behalf of Colorado
Members)
1100 Adolphus Tower Building
Dallas, Texas 75202

James H. Shelton, Colorado
Co-Counsel with Joseph M. Shelton
for American Association of Oil Well
Drilling Contractors
205 First National Bank Building
Greeley, Colorado

Howard D. Hicks, for Denver Chamber
of Commerce, 1301 Welton Street
Denver, Colorado 80204

Bessie Hubble, for B & M Service, Inc.
Box 188, Rangely, Colorado

Carl E. Johnson, for L. E. Whitlock
Truck Service, Inc., Stafford, Kansas
Sidney, Nebraska

Appearances:

Ernie Neff, for Neff Trucking, Inc.
Sterling, Colorado

Warren L. Baker, for American
Association of Oilwell Drilling
Contractors, 211 N. Ervay, Rm. 505
Dallas, Texas

A. L. Barth, for Humble Oil & Refining
Company, P. O. Box 801, Tulsa, Oklahoma

William H. Behr, Jr., for Continental
Oil Company, 1755 Glenarm Place
Denver, Colorado

A. O. Brochu, for Continental-Emsco Co.,
(A Division of the Youngstown Sheet &
Tube Co., and Oil & Gas Well Supply
Traffic Association) P.O. Box 359,
Dallas, Texas

W. R. Hayn, for The Atlantic Refining Co.,
Box 2819, Dallas, Texas

Lowell J. Hedrick, for Phillips Petroleum
Company, 823 Phillips Building,
Salt Lake City, Utah

F. M. Magruder, for Pan American Petr. Corp.,
& Shippers Oil Field Traffic Association
P.O. Box 591, Tulsa, Oklahoma

Lee T. Meador for Sun Oil Company,
Division Transportation Manager
P.O. Box 2880, Dallas 21, Texas

M. W. Standridge, for National Tank Company
P.O. Drawer 1710, Tulsa, Oklahoma

A. E. Rectorschek, for Marathon Oil Company
1617 Kingswood Drive, Findlay, Ohio

B. Wayne Templeton, for Pan-American Petroleum
Corporation, P. O. Box 40, Casper, Wyoming

Elbert C. Wilson, for Amerada Petroleum Corp.
P.O. Box 2040, Tulsa 2, Oklahoma

Hubert Work, for Weicker Transfer & Storage Co.,
2900 Brighton Boulevard, Denver, Colorado

A.J. Tait, 1525 Sherman Street, Denver, Colorado,
80203, a member of the Staff of the Commission

S T A T E M E N T

BY THE COMMISSION:

Heretofore, by Decision No. 63891, dated October 21, 1964, this Commission entered into a general investigation concerning the rates, rules and regulations for the transportation by motor vehicle, of oil-field equipment, materials and supplies, and accessorial services in connection therewith, between points within the State of Colorado, except when such commodities would be moving between towns and municipalities in town-to-town service. All motor vehicle common carriers operating under certificates of public convenience and necessity issued by this Commission, and all motor vehicle private carriers operating under permits issued by this Commission, authorizing in whole or in part the transportation being investigated, were made Respondents in these proceedings.

Thereafter, on November 2, 1964, Respondents who are parties to Colorado Motor Carriers' Association, Agent, Tariff No. 9, Colorado PUC No. 10, petitioned this Commission to prescribe emergency increases in rates and charges for all for-hire motor carriers. By Decision No. 64003, dated November 5, 1964, this Commission set the petition for emergency increases for hearing.

Notice of these proceedings was given to all parties deemed to be in interest, and the matter was heard at the Hearing Room of the Commission on November 16, 1964.

From the evidence adduced at the hearing it appears that a number of tariffs covering this transportation are in effect within the State of Colorado. The petitioners who are parties to Colorado Motor Carriers' Association Tariff No. 9, Colorado PUC No. 10, appear to transport the largest portions of the considered traffic. The rates of petitioners are generally higher than the rates of their competitors. It also appears from an analysis of the oilfield revenue reports which have been submitted to

this Commission that petitioners competitive situation has been steadily deteriorating in favor of their lower priced competitors. The testimony of petitioners' operating witnesses was also to this effect.

Evidence was adduced as to the financial condition of the two common carriers transporting the largest portion of the common carrier traffic within the State of Colorado. These two carriers are also domiciled in Colorado; Neff Trucking Company, Inc., having its principal offices at Sterling, and B & M Service, Inc., having its principal offices at Rangely.

B & M Service, Inc.'s principal revenues are derived from operations in Colorado intrastate commerce. A comparative balance sheet statement was introduced in the record showing the steady deterioration of the financial condition of B & M Service, Inc., for the years ended December 31, 1962, December 31, 1963, and the 9 months ended September 30, 1964. B & M Service, Inc., similarly showed that for the years ended January 31, 1963 and December 31, 1963 it had operated at 109.5 and 103.9 respectively. For the nine months ended September 30, 1964, B & M Service, Inc., shows that it was operating at 119.5. Operating losses for the periods indicated were, respectively, $15,857, $6,612 and $25,150.

Neff Trucking Company, Inc., of Sterling, also produced comparative balance sheets showing that it too had had a deterioration in its financial condition for the years ended December 31, 1962 and December 31, 1963, as well as the period ended August 31, 1964. The profit and loss statements of Neff Trucking Company, Inc., disclosed that for the year ended December 31, 1962 it operated at 102.9; for the year ended December 31, 1963 it operated at 97.0; and for the eight months ended August 31, 1964 it operated at 100.7 percent. Losses for the periods were, respectively, $25,149, a profit of $22,060, and a loss of $2,736.

From an analysis of the oilfield revenue reports, it sufficiently appears to the Commission that the operations of B & M Service, Inc., and

Neff Trucking Company, Inc., are representative of the common carriers performing this type of transportation within the State of Colorado.

The rates on which petitioners are operating became effective August 31, 1957. B & M Service, Inc., and Neff Trucking Company, Inc., produced evidence showing the increase in price levels of goods and services consumed by them in the performance of their common carrier duties through August 31, 1964. It is clear that the prices of the materials and services consumed by these respondents have increased substantially during the years that the present rate structure has been in effect.

Petitioners introduced in evidence a Cost study showing the cost of transporting oilfield equipment, materials and supplies, and providing accessorial services in connection therewith, within the State of Colorado, for the year 1962. A traffic study of three representative carriers, being L. E. Whitlock Truck Service, Inc., Neff Trucking Company, Inc., and B & M Service, Inc., showing the actual Colorado revenues earned by the three study carriers, with the costs as computed in the Cost Study applied against such revenues, discloses that for the year 1962 the operating ratio for Colorado operations would be in the area of 108.4 percent. The traffic study was also applied against an estimated cost for 1964 operations, which would show a 113.9 percent operating ratio.

Evidence was also introduced showing the Commission the relative rate levels in certain states surrounding the State of Colorado, as well as in interstate commerce. It was thus shown that Nebraska had had a 10 percent higher rate level for a number of years. The State of Wyoming has a hundred weight scale which is generally the same level as that within the State of Colorado, but charges for hourly services have been substantially higher than those in effect within this State. The so-called Wyoming 2-C Tariff similarly has a hundredweight scale equal to that in the State of Colorado. Hourly charges, however, are 10 percent higher than those in

effect within our State. A number of interstate carriers operating within the State of Colorado have in effect what is known as the MC-C-1891 Scale, which for shorter hauls is considerably higher than that presently in effect within the State of Colorado, and for longer hauls (beyond 240 miles) becomes somewhat less.

It is apparent that the rates and charges for the services here under review have been somewhat lower in the State of Colorado than in the States of Nebraska or Wyoming, and are lower than the charges and rates in effect in interstate commerce applying between and to and from the State of Colorado.

The situation with respect to varying rates within this State, as named in the various tariffs, is chaotic. The rates and charges on which the preponderance of the traffic moves are 10 percent higher than the rates published in one competitive tariff. Moreover, there is a tariff applying on the subject commodities which names rates in terms of ton-miles.

It sufficiently appears to the Commission that an emergency does indeed exist which requires our prompt and aggressive action if this highly important common carrier service is to be preserved within the State of Colorado. We do not, however, conclude that rates and charges on the level of those proposed are necessary. To the contrary, a somewhat downward adjustment to the rates proposed must be made, and as adjusted are herein found to be just, reasonable and sufficient. As so found, these rates and charges are incorporated in our Findings and Order appended hereto.

The situation with which we are confronted imperatively requires expedited correction. Our Order appended hereto will require that the changes herein found to be just and reasonable should be made on or before December 1, 1964.

The rates, rules and regulations, and charges for accessorial services, herein found to be just, reasonable and sufficient, will be prescribed as the maximum and minimum rates, rules, regulations and charges for all motor vehicle common carriers, and minimum rates, rules, regulations and charges for all motor vehicle private carriers. The commodities to which these rates, rules, regulations and charges apply are

> Machinery, equipment, materials and supplies used in or in connection with the discovery, development, production, refining, manufacture, processing, storage, transmission and distribution of natural gas and petroleum and their products and by-products, and machinery, materials, equipment and supplies used in or in connection with the construction, operation, repair, servicing, maintenance and dismantling of pipelines, including the stringing and picking up thereof.

These rates, rules, regulations and charges will apply on this transportation and accessorial services within the State of Colorado in Colorado intrastate commerce, except when moving between towns and municipalities in town-to-town service.

The rates, rules, regulations and charges herein prescribed are interim temporary rates, rules, regulations and charges only. The Commission hereby expressly retains jurisdiction of this matter to enter such further order or orders as the facts and circumstances may warrant as a result of the hearing on the general investigation which is now scheduled to commence with November 30, 1964.

F I N D I N G S

THE COMMISSION FINDS:

1. The request of petitioners for an emergency temporary increase in the rates and charges for the transportation of oilfield equipment, materials and supplies, except when moving between towns and municipalities in town-to-town service, and the provision of accessorial services in connection therewith, as described in Colorado Motor Carriers' Association, Agent, Motor Freight Tariff No. 9, Colorado PUC No. 10, as herein modified,

should be authorized and as authorized will result in just, fair, reasonable and sufficient maximum and minimum rates for motor vehicle common carriers.

2. That the attached Appendix "A", containing rates, rules, regulations and charges, should be, and the same hereby is, prescribed as the maximum and minimum rates, rules, regulations and charges for application by all motor vehicle common carriers conducting operations within the State of Colorado in Colorado intrastate commerce.

3. That the attached Appendix "A" be, and the same hereby is, prescribed as the minimum rates, rules, regulations and charges for all private carriers by motor vehicle conducting operations within the State of Colorado in Colorado intrastate commerce.

4. That an emergency exists and as a consequence thereof the Commission should require all motor vehicle common carriers, and all motor vehicle private carriers, to bring their tariffs of actual rates and charges, or their tariffs of minimum rates and charges, as the case may be, into compliance with this Order, on or before December 1,1964, by filing and posting proper tariffs on 1-days' notice to the Commission and to the public.

O R D E R

THE COMMISSION ORDERS:

1. That the Statement, Findings and Appendix "A" be, and they hereby are, made a part hereof.

2. This Order shall become effective forthwith.

3. All motor vehicle common carriers transporting oilfield equipment, materials and supplies, and providing accessorial services in connection therewith (as described in the foregoing statement), in intrastate traffic in Colorado, except when moving between towns and municipalities in town-to-town service, be, and they hereby are, authorized and directed to bring their tariffs into compliance with the Order herein and

publish the rates, rules, regulations and charges as shown in the attached Appendix "A".

4. All private carriers by motor vehicle transporting oilfield equipment, materials and supplies, and providing accessorial services in connection therewith (as described in the foregoing statement), shall not charge less than the rates and charges of motor vehicle common carriers as prescribed herein, and all motor vehicle private carriers shall observe the rules and regulations in the attached Appendix "A" as minimum rules and regulations.

5. All motor vehicle common carriers and private carriers by motor vehicle, transporting the commodities involved herein, and providing accessorial services in connection therewith, in intrastate traffic within the State of Colorado, shall publish or cause to be published in their behalf the increased rates, charges, rules and regulations prescribed herein.

6. The rates, rules, regulations and charges prescribed herein shall become effective on the 1st day of December, 1964, on notice to this Commission and the general public by not less than one (1) day's filing and posting in the manner prescribed by law and the Rules and Regulations of the Commission.

7. On and after December 1, 1964, all motor vehicle common carriers transporting and providing accessorial services in connection with the commodities involved in this proceeding intrastate in Colorado shall cease and desist from demanding, charging and collecting rates and charges that shall be greater or less than those herein prescribed.

8. On and after December 1, 1964, all private carriers by motor vehicle transporting and providing accessorial services in connection with the commodities involved in this proceeding shall cease and desist from demanding, charging and collecting rates and charges which shall be less than those herein prescribed.

9. 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 or liabilities applicable to motor vehicle common carriers.

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

11. Jurisdiction is retained to make such further orders as may be necessary.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(S E A L)

Commissioners

Commissioner Henry E. Zarlengo necessarily absent and not participating.

Dated at Denver, Colorado this
20th day of November, 1964.

av

APPENDIX "A"

EXPLANATION OF ABBREVIATIONS AND SYMBOLS USED HEREIN

Abbreviation Or Symbol	Explanation
Add.	Additional
Co.	Company or County
Col.	Column
Colo.	Colorado
D/B/A	Doing business as
Inc.	Inclusive or Incorporated
lbs.	Pounds
Min.	Minimum
Mt.	Mount
Mtn.	Mountain
Nebr.	Nebraska
No. or Nos.	Number or Numbers
Okla.	Oklahoma
P.U.C.	Public Utilities Commission
S.U.	Set Up
Sec.	Section
Spgs.	Springs
T.L.	Truckload
U. S.	United States
Wt.	Weight
&	And
¢	Cent or Cents
$	Dollar or Dollars
%	Per Cent
/	Addition
(A) or A	Advance
(C) or C	Denotes a change resulting in neither increase nor reduction
(E) or E	Eliminate
(R) or R	Reduction

RULE NO. 1: Application of Distance Scale of Rates

Distance or commodity rates shown herein will apply between all points in Colorado, except when such commodities are moving between towns and municipalities in town-to-town service.

(A) Unless otherwise specifically provided, rates prescribed herein include pick-up service at point of origin and delivery service at destination.

(B) The term "pick-up service", as used herein, refers to the service involved in calling for and loading freight on motor vehicle from a platform, railroad freight car or other facilities accessible to highway vehicle.

(C) The term "delivery service", as used herein, refers to the service involved in unloading from motor vehicle to a platform, railroad freight car or other facility directly accessible to highway vehicle.

(D) Rates do not include the service of loading onto and/or unloading from carriers' vehicle shipments which, due to weight, size or shape cannot be handled by truck and driver and require the use of additional labor and/or additional lift equipment. The charge for such additional labor and/or additional lift equipment will be the hourly charge provided for in Rule No. 26.

(E) The term "truck and driver", as used in Paragraph (D), also includes truck-tractor, trailer and driver when such combinations are used in the transportation of the shipment.

RULE NO. 3: Application of Rates on Trailer Mounted Units.

Shipments of machinery and equipment mounted and installed on penumatic tired trailers, semi-trailers, or trucks owned and furnished by the shipper, when such installation makes the trailer, semi-trailer, or truck and equipment mounted thereon an integral unit to transport, and for which the carrier is required to furnish a truck or truck-tractor only and to perform only a towing service, will be accepted, subject to the following conditions:

(A) The distance rates in cents per 100 pounds provided in this order, will apply, based on the weight of the lading, (see paragraph (B)),subject to the minimum weight applicable in connection with the rate used.

(B) The weight of the lading will be determined by deducting 20 per cent, as the tare weight of the trailer, from the actual gross weight of the lading and trailer, lading and semi-trailer or lading and truck, whichever is applicable. The tare weight allowed by the provisions of this paragraph shall in no case exceed 12,000 pounds.

(C) The trailer, semi-trailer, or truck to be towed must be licensed properly by the owner and be in a safe and proper condition for movement over the highways of Colorado on its own wheels and must conform to the insurance and safety rules, regulations and requirements of the State of Colorado.

(D) For the purpose of this Rule, time lost due to tire or mechanical failure of, or deficiency of, the trailer, semi-trailer, or truck, when not caused by fault of the carrier, shall be considered as "detention time" and charged for at the hourly rates named in Rule 26. Free time for detention will not be granted under the provisions of this Rule. Charges for detention time are in addition to the transportation charges provided in this Rule.

(E) In instances where special highway permits are required by state or municipal bodies or commissions and such special permits designate the route to be traveled, the highway distance via such route shall be used to determine the charges.

RULE NO. 4: Articles for Shipment on Which Acceptance is Optional

Carriers may, without discrimination between shippers, refuse to accept for shipment the following, viz.:

(A) Freight which on account of dimensions or nature cannot be transported over the public highways in safety or without violation of the highway law of the State of Colorado.

(B) Freight which cannot be handled practicably by motor trucks or trailer equipment.

(C) Dynamite or other high explosive.

(D) Freight, the nature of which is liable to impregnate or damage other freight or equipment.

RULE NO. 5: Basis for Rates on Quantity Shipments

The rates herein provided, subject to specified minimum weights, will apply only on shipments of the designated minimum weights, except as otherwise specifically provided for, from one consignor to one consignee on one bill of lading in one calendar day running from midnight to midnight in one vehicle or combination of vehicles operated under a single power unit as limited by the Uniform Motor Vehicle Act (Chapter 164, S.L. 1935); provided, however, that when shipments are received in excess of the quantity that can be loaded in or on one truck (as hereinbefore qualified) the excess may be loaded in or on another truck or trucks and transported at the applicable rate on the entire shipment, subject to the following conditions:

The shipment shall be from one consignor at one origin to one consignee at one destination, on one bill of lading and be delivered by the shipper to the carrier in one calendar day running from midnight to midnight.

Each truck, except the truck carrying the excess, must be loaded to its full space or loading capacity.

Other shipments may be loaded in or on the truck carrying the excess; however, refererence to the loaded truck movement shall be shown on the carrier's billing covering the excess; the carrier's billing covering the full load movement shall show the following notation "part lot to follow."

Any excess over and above the full truckload shall be removed from the premises of the shipper at the time the shipment is tendered to the carrier and the movement thereof shall start not later than thirty-six (36) hours after the receipt of the shipment.

On single shipments from one consignor to one consignee on one bill of lading in one day in one vehicle or combination of vehicles (as hereinbefore designated) of the required minimum weight, composed of two or more articles subject to different rates, carrier shall apply to the entire lot the rate applicable to the same quantity of the highest rated article in the shipment. Provided, however, that when the aggregate charge upon the entire shipment is less on the basis of the quantity rate and minimum weight (actual or authorized estimated weight to be charged for in excess of the minimum weight) for one or more of the articles and on basis of actual or authorized estimated weight at applicable rate or rates for the other article or articles, the shipment will be charged accordingly.

RULE NO. 6: Collect-On-Delivery Shipments

Collect-on-delivery shipments will not be accepted for transportation from, to or between points on the lines of carriers subject to this order.

RULE NO. 7: Detention of Equipment

When, through cause not attributable to the carrier, the carrier's vehicle is delayed and prevented from loading at point of origin for more than one hour after vehicle is made available for loading, or is delayed and prevented from unloading at point of destination for more than one hour after shipment is tendered for unloading, the charge for the time in excess of

one hour shall be on the basis of the hourly rates set forth in Rule No. 26.

Vehicles will not be spotted for loading, or shipment will not be tendered for unloading between the hours of 6:00 p.m., and 7:00 a.m., or on Sundays or National Holidays, viz.: New Year's Day, Christmas Day, Thanksgiving Day, Independence Day, Veteran's Day, Labor Day and Memorial Day, unless advance arrangements are made by the shipper or consignee.

RULE NO. 8: Diversion and Reconsignment

Shipments transported under rates, rules and regulations prescribed in this order may be diverted or reconsigned, subject to the following rules, regulations and charges:

(A) The term "diversion" and "reconsignment" means:

1. The change in the name of consignor or consignee or owner necessary to effect delivery and requiring an addition to or change in billing or additional movement of the motor vehicle or both.

(B) A request for diversion or reconsignment must be made or confirmed in writing. The original bill of lading must be surrendered or proof of ownership established by other means, with such request for diversion or reconsignment.

(C) When an order under these rules is received by the carriers subject to this order, diligent effort will be made to locate the shipment and effect the change desired while in the carrier's possession, but such carrier will not be responsible for failure to effect the change ordered unless such failure is due to the error or negligence of its employees.

(D) A charge of $3.00 will be made for each shipment diverted or reconsigned under these rules.

(E) The rates to be applied on shipments accorded diversion and reconsignment privileges under these rules, will be the rate in effect on date of movement from point of origin to final destination, subject to the following:

The rate making distance will be the shortest distance origin to destination via the reconsigning point; in the event more than one reconsignment is involved, the rate making distance will be the shortest distance origin to destination via each successive reconsigning point.

RULE NO. 9: (A) Exclusive Use of Vehicle for Transportation of Articles Not Named in this Order

When a shipper requests the exclusive use of a vehicle for service in transporting commodities not named or provided for in this Order, the charge will be based on the hourly rate set forth in Rule No. 26, provided, however, that in no event shall the charge be lower than 120% of the applicable class rate where the transportation is over the route of a scheduled line haul motor vehicle common carrier (regular route carrier), or a combination of such carriers.

(B) Exclusive Use of Vehicle for Transportation of Articles Named in this Order.

When a shipper requests the exclusive use of a vehicle for service in

transporting commodities named or provided for in this Order (weighing under 4,000 pounds), the charge will be based on the hourly rate set forth in Rule No. 26, or the distance rates subject to a minimum weight of 10,000 pounds prescribed in this order, whichever produces the lower total charge.

RULE NO. 10: Extra Accessorial Services

When, by reason of height or width of load being transported or for other reasons incidental to transportation of the load, it is necessary to raise or disconnect telephone, telegraph or power transmission lines or any other obstacle and companies owning such lines or obstacle make a charge for such service, then such charge shall be assessed against and collected from the owner of the property being transported.

RULE NO. 11: Fractions Of An Hour

When hourly rates are applicable herein, fractions of an hour will be considered as one full hour.

RULE NO. 12: Claims

All claims will be filed with the origin or destination carrier, where movements over more than two carriers are involved (whether such carriers be motor or rail carriers) claim will not be filed with intermediate carrier or carriers.

Loss And Damage Claims

(A) All claims for loss and damage should be supported by the following documents: (1) original bill of lading, if not previously surrendered to carrier; (2) original paid freight ("expense") bill; (3) original invoice or certified copy; (4) other particulars obtainable in proof of loss or damage claimed.

(B) Claims for concealed loss and damage should be supported by a certified copy of inspection report, in addition to the documents named in Paragraph (A).

Overcharge Claims

Overcharge claims should be supported by the following documents: (1) Original paid freight ("expense") bill; (2) original invoice, or certified copy, when claim is based on weight, or valuation, or when shipment has been improperly described; (3) original bill of lading, if not previously surrendered to carrier, when shipment was prepaid, or when claim is based on misrouting or valuation; (4) weight certificate, or certified statement when claim is based on weight; (5) other particulars obtainable in proof of overcharge claimed.

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.

Overcharge claims will be entertained by the carrier only when filed with said carrier within two (2) years after the date of delivery or tender of delivery of the shipment and not thereafter.

RULE NO. 13: Compensation

Nothing but money can be lawfully received or accepted in payment for transportation. (Subject to the provisions of Section 17 (c) of the Public Utilities Act.)

RULE NO. 14: Impractical Operation:

Nothing in this order shall be construed as making it binding on the part of the carrier to receive or deliver freight for destinations to which, on account of road conditions, it is impractical to operate trucks or make deliveries.

In such cases, notice shall be given to both the consignor and consignee and deliveries made by special arrangements, subject to the governing rules and regulations and subject to the charges provided in Rule No. 26.

RULE NO. 15: Inability to Accomplish Delivery

If a shipment is once tendered for delivery at the billed address, between the hours of 7:00 a.m. and 5:30 p.m., and such delivery cannot be accomplished through no fault of the carrier, no further efforts will be made to effect delivery, except on request and at an additional charge of twenty-five (25¢) cents for each one hundred (100) pounds or fraction thereof for each tender, subject to a minimum weight of 10,000 pounds.

Should the transportation carrier be unable after arrival of the shipment and after the exercise of due diligence, to make delivery at the billed, or correct (if known) address, during reasonable business hours, notice of the arrival and failure to make delivery shall at once be mailed to the consignee, and the property shall be stored at the cost of the consignee, consignor, or owner after free time in the carrier's depot has expired, without liability on the part of the transportation carrier except that of warehouseman and subject to a lien for all transportation and other lawful charges.

RULE NO. 16: Light and Bulky Articles

(A) When two or more trucks are required for the transportation of a shipment tendered on one bill of lading and consisting wholly or in part of the light and bulky articles described in Paragraph (B), each truck loaded partially or entirely with one or more of such articles shall be considered as being loaded with a truckload, and such truckload shall be treated as a separate shipment in computing freight charges.

(B) Where reference is made to the term light and bulky articles, such term within the meaning of this tariff shall comprise the following:

(1) Articles each of which is in excess of 4 feet in width and 15 feet in length, viz.:

Absorber Units;
Airplanes and Parts;
Automobiles;
Boats;
Boxes, Mud or Mud Tanks, set-up;
Cars, tank;
Treaters, Oil or Gas;
Vessels, Petroleum Cracking, Distilling or Refining.
Hoppers or Bins, set-up;
Derricks, set-up or in sections;
Graders and Parts;
Masts, set-up or in sections;
Paving Finishers;
Road Patrols;
Smoke Stacks;
Tanks, Iron or Steel, set-up;
Tanks, Wood, set-up;

(2) Articles which, because of bulk or quantity tendered for shipment cannot be loaded on a semi-trailer measuring 8 feet in width and 28 feet in length, viz.:

Barrels;
Boxes, set-up or knocked down;
Buildings, fabricated, set-up;
Buildings, sectional and/or parts thereof, set-up or knocked down;
Cartons, set-up or knocked down;
Conduit Cooling Fans;
Conveyors;
Cooling Equipment;
Cooling Towers, Wood;
Culverts;
Pipe, Glass, Plastic or Composition.

RULE NO. 17: Method of Computing Distance

(1) Where mileages are shown in Colorado Department of Highways map via improved roads only, such mileages shall be used to determine the distance or portions of such distance via improved roads.

(2) For distance from and to points not covered by the map referred to in Paragraph (1) of this Rule, the actual mileage via the shortest practicable route shall be used, except that the map will be used for such portion of the distance as may be provided thereon or ascertainable therefrom.

Exceptions

(3) When shipments move under special permits required by and obtained from a municipal or state regulatory body or commission, which specifies therein the route to be traveled by the motor vehicle, the mileage to be used in determining the rate will be that shown in Colorado Department of Highways map via route specified in special permit.

(4) Where, due to flood conditions, condition of bridges or ferries, it is impractical to operate the truck over highways forming the shortest distance between origin and destination, the most practical route over which the truck can be moved will be shown in the bill of lading and the distance via such route will be used to determine the rate. The bill of lading will also show the reason for the route specified therein.

RULE NO. 18: Minimum Charge

The minimum charge for a single shipment from one consignor to one consignee on one bill of lading in one day shall be on the basis of 10,000 pounds at the applicable rate, subject to the provisions of Rule No. 9.

RULE NO. 19. Moving Empty Equipment

(A) When shipper or consignee, for its convenience, requests carrier to move empty equipment from the origin of the equipment or from carrier's terminal, whichever is the closer, to origin of the shipment, a charge for the movement of such equipment shall be assessed at the hourly rates provided in Rule No. 26, based on total empty miles traveled less 150 per cent of the total loaded miles traveled. An average traveling speed of thirty (30) miles per hour shall be used in arriving at the charges to be assessed hereunder.

(B) In computing total empty mileage, mileage from destination to immediate subsequent point of use of equipment, or to carrier's nearest terminal, shall be used when less than from destination to point of dispatch of empty equipment.

NOTE: Provisions of this Rule are subject to Rule No. 29.

RULE NO. 20: Off The Highway Service When a Part of Road Haul

The distance rates named herein shall apply to and include service off highways or improved roads to load and/or unload a shipment when such shipment is transported in a road haul movement, subject to the conditions and charges shown below:

(1) If the accrued time while carrier's equipment is transporting the road haul load from the highway or improved road to final destination point and/or the origin point to the highway or improved road exceeds one and one-half hours in either direction, an additional charge for each vehicle required in the transportation of the shipment shall be assessed at the hourly rates provided for in Rule No. 26.

(2) The charge provided for in (1) above will not apply when carrier's equipment can move under its own power at the same rate of speed as on the improved road.

(3) The provisions of this Rule are subject to Rule No. 29.

NOTE: The term unimproved road, as used herein, means one which is not paved or graveled and drained.

RULE NO. 21: Private Carrier Minimum Rates

Rates and charges prescribed in this order are minimum rates for all private carriers operating under Class "A" or "B" Permits.

RULE NO. 22: Rates Based on Varying Minimum Weights

When charges accruing on a shipment based upon actual weight exceed the charges computed upon a rate based upon a greater minimum weight, the latter shall apply.

RULE NO. 23: Refused or Unclaimed Shipments

(A) When shipments have been plainly marked with the consignor's name and address preceded by the word "from" are refused, notice shall be immediately sent or given consignor of refusal of shipment. Unclaimed shipments will be treated as refused after fifteen calendar days from expiration of free time.

(B) Whenever refused or unclaimed shipments are placed in warehouse at carrier's option and are afterwards sold, transportation, storage and other charges incidental to the transportation shall be paid out of the amount realized from sale.

(C) Freight held 30 days account of inability of carrier to effect delivery will be sold for accrued charges.

RULE NO. 24: Shipping Instructions

The owner or consignor shall, at the time of the delivery of the property to be transported, furnish the transportation company with the correct address to which the property is to be delivered and designate a suitable or proper person to receive and receipt for same when delivered.

RULE NO. 25: Special Permits

The rates herein provided for do not include the charges made for special permits required under state regulations because of weight or dimensions of any load. The charge for such special permits, as shown thereon, and any expense resulting therefrom shall be in addition to the transportation charge and shall be borne by the shipper or consignee.

RULE NO. 26: Special Service or Additional Charges:

The following charges are in addition to the transportation charges provided herein and will be assessed on shipments when special service and/or extra labor or equipment is required in loading or unloading shipments, or when extra services are required due to weak bridges or other highway obstructions preventing accessibility on the normal route. Also, for stringing material along a right-of-way, to tow, drag, or gather material or equipment to or from loading or unloading place, to pull down, or set up material, machinery or equipment, or wreck or place same in position, or rig up or to pump liquids on or off tanks.

Truck, truck-tractor or "A" frame weighing empty (power unit only):

	Hourly Rate
7,000 lbs. and under	$ 6.50
Over 7,000 lbs. and under 9,000 lbs.	7.75
Over 9,000 lbs. and under 12,000 lbs.	9.00
Over 12,000 lbs. and under 15,000 lbs.	12.00
Over 15,000 lbs. and under 19,000 lbs.	14.75
Over 19,000 lbs. and under 24,000 lbs.	16.50
24,000 lbs. and over	20.00
Crane, with driver and operator, less than 75 feet of boom ...	20.00
Crane, with driver and operator, 75 feet of boom and over...	23.00
Use of Tractor or Caterpillar:	
D-6 or comparable . . .	13.50
D-7 or comparable . . .	18.50
D-8 or comparable . . .	20.00
Athey Wagons . . .	5.50
Oil Field Helpers or "Swampers" . . .	2.90

Time to be computed as actual travel and working time.

Subject to Rule No. 29.

RULE NO. 27: Stopping in Transit to Unload Partly or to Complete Loading

Shipments moving at applicable rates and minimum weights on one bill of lading in one day from one consignor consigned to one consignee at one destination may be stopped in transit at points covered by this tariff not to exceed three (3) stops to complete loading and/or to unload partially, subject to the conditions and charges shown below:

(1) The charge for each stop will be $5.50 per truck per stop.

(2) The through rate to apply will be the rate in effect on date of shipment either:

(A) From point of origin to final destination, via the points at which stops are made to complete loading and/or to unload partially, or

(B) From point of origin to stop-over point, or

(C) From stop-over point to final destination, whichever is highest.

(3) The weight to be used in determining transportation charges will be the weight at point of origin plus the weight loaded at stop-over point or points.

(4) Shipper at stop-over point or points must declare to agent of truck line at stop-over point or points the additional weight of the freight loaded for the purpose of determining the freight charges to be assessed.

RULE NO. 28: Storage

(A) Forty-eight hours free time will be allowed, which free time will be computed from the first 7:00 a.m., after arrival of shipment at destination (excluding Sundays and Holidays).

(B) Shipments held on the premises of the carrier in excess of free time allowed when having been given or afforded the proper storage by the carrier, will be subject to the following storage charges per day, or on option of carrier may be sent to public warehouse. (See Note.)

(C) For each of the first five days, four cents per 100 pounds. For the sixth and each succeeding day, eight cents per 100 pounds. In computing time, Sundays and Legal Holidays (National, State and Municipal) but not half holidays will be excluded. Fractions of a day are to be considered as one day and fractions of a hundred pounds to be considered as one hundred pounds.

NOTE: In addition to rate named for storage, a charge of 15 cents per 100 pounds will be made for extra handling of a shipment sent to the public warehouse.

RULE NO. 29. Substituted Equipment

When carrier furnishes equipment of unladen weight at variance with equipment ordered by shipper, charges shall be assessed on basis of equipment ordered by shipper or as furnished by carrier, whichever results in the lower charge, provided the equipment ordered by shipper could have handled the shipment.

The following notation must be made on bill of lading:

"Equipment of _____ unladen weight ordered by shipper and equipment of _____ unladen weight furnished by carrier."

RULE NO. 30: Tolls

The rates named herein do not include tolls for the use of bridges, ferries, tunnels or roads. When the shortest highway route, origin to destination, necessitates the use of bridges, ferries, tunnels or roads where Tolls are assessed, the actual toll charges paid by the carrier, when supported by paid receipts, will be in addition to the prescribed freight charges.

RULE NO. 31: Weighing

(A) Except as otherwise provided, all freight must be weighed at point of origin if scales are available, otherwise freight must be weighed enroute or at destination when scales are available, or are available at a point within 10 miles of the direct route origin to destination. Scale ticket shall show the gross, tare and net weights. Net weights, if greater than the applicable minimum weights, are to be used in computing freight charges.

(B) If the weight of the commodities shipped cannot be determined as provided in Paragraph (A), the shipper shall furnish the carrier, in writing, an itemized statement of the commodities offered for shipment, together with the actual weights thereof, indicating that such weights are the actual weights of the commodities described to the best of said shipper's knowledge and belief. Such statement must be signed by the shipper.

DISTANCE COMMODITY RATES

PRESCRIBED RATES FOR APPLICATION THROUGHOUT THE STATE OF COLORADO

Rates are in Cents per 100 Pounds

Distance -- Miles	MINIMUM WEIGHT 10,000 pounds	15,000 pounds	20,000 pounds
5 AND UNDER	31	21	16
10 AND OVER 5	36	26	23
20 " 10	39	31	27
30 " 20	43	35	31
40 " 30	46	39	35
50 " 40	51	44	38
60 " 50	56	49	42
70 " 60	58	54	45
80 " 70	63	56	48
90 " 80	67	60	52
100 " 90	69	64	55
110 " 100	74	69	59
120 " 110	79	74	62
130 " 120	84	76	66
140 " 130	87	78	69
150 " 140	91	81	70
160 " 150	94	84	74
170 " 160	99	88	75

DISTANCE COMMODITY RATES

Distance -- Miles	MINIMUM WEIGHT 10,000 pounds	15,000 pounds	20,000 pounds
180 AND OVER 170	102	90	77
190 " 180	106	93	80
200 " 190	108	95	81
210 " 200	113	97	84
220 " 210	117	99	86
230 " 220	120	102	88
240 " 230	126	106	91
250 " 240	128	109	92
260 " 250	131	110	95
270 " 260	134	112	97
280 " 270	140	115	98
290 " 280	142	118	100
300 " 290	144	121	101
310 " 300	152	127	108
320 " 310	154	132	109
330 " 320	156	134	110
340 " 330	159	136	111
350 " 340	166	138	113
360 " 350	168	139	118
370 " 360	171	144	119
380 " 370	175	147	120
390 " 380	181	149	121
400 " 390	183	151	122
410 " 400	186	153	124
420 " 410	190	158	126
430 " 420	194	160	129
440 " 430	198	162	131
450 " 440	201	164	132
460 " 450	205	168	135
470 " 460	208	172	136
480 " 470	212	174	137
490 " 480	217	176	138
500 " 490	219	179	142
510 " 500	223	186	147
520 " 510	228	190	148
530 " 520	231	192	149
540 " 530	234	195	150
550 " 540	238	197	152
560 " 550	241	203	158
570 " 560	247	205	159
580 " 570	249	208	160
590 " 580	253	211	161
600 " 590	256	215	163
610 " 600	260	216	167
620 " 610	263	218	169
630 " 620	266	221	171
640 " 630	271	224	173
650 " 640	274	227	175

DISTANCE COMMODITY RATES

Distance -- Miles	MINIMUM WEIGHT 10,000 pounds	15,000 pounds	20,000 pounds
660 AND OVER 650	277	228	177
670 " 660	284	231	179
680 " 670	286	234	180
690 " 680	289	237	182
700 " 690	293	239	183

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(Decision No. 64139)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)
S. L. STAPLES, JR., AND MILDRED M.)
STAPLES, ROUTE 1 BOX 29, GUNNISON,) PERMIT NO. M-7339
COLORADO.)
)
)

December 3, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from S. L. Staples, Jr. & Mildred M. Staples, Gunnison, Colorado requesting that Permit No. M-7339 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7339, heretofore issued to S. L. Staples, Jr. & Mildred M. Staples, Gunnison, Colorado be, and the same is hereby, declared cancelled effective October 15, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard S. Bjelland
Ralph C. Hanson
Commissioners

Dated at Denver, Colorado,

this 3rd day of November, 19 64.

hc

(Decision No. 64140)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
OSCAR W. OLSON, DOING BUSINESS AS,)
"OLSON'S COMPLETE FOOD STORE", 3030)
EAST 6TH AVENUE, DENVER 6, COLORADO.) PERMIT NO. M-7412
)
)

December 3, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Oscar W. Olson, doing business as, "Olson's Complete Food Store", Denver 6, Colorado requesting that Permit No. M-7412 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7412, heretofore issued to Oscar W. Olson, doing business as, "Olson's Complete Food Store", Denver 6, Colorado be, and the same is hereby, declared cancelled effective October 30, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Harold D. Bjelland

Ralph C. Hoskins

Commissioners

Dated at Denver, Colorado,

this 3rd day of December, 19 64.

hc

(Decision No. 64141)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
LINCOLN ELEVATOR AND FEED COMPANY,)
2800 LEIGHTON STREET, LINCOLN,) PERMIT NO. M-7839
NEBRASKA.)
)
)

December 3, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Lincoln Elevator & Feed Company, Lincoln, Nebraska requesting that Permit No. M-7839 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7839, heretofore issued to Lincoln Elevator & Feed Company, Lincoln, Nebraska be, and the same is hereby, declared cancelled effective November 6, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard S. Bjelland

Ralph E. Hinkley

Commissioners

Dated at Denver, Colorado,

this 3rd day of December, 19 64.

hc

(Decision No. 64142)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
JAMES KONOPASEK, DOING BUSINESS AS,)
"CONNIE'S DISTRIBUTING COMPANY",)
810 EAST 2ND, CHADRON, NEBRASKA.) PERMIT NO. M-8431
)
)

December 3, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from James Konopasek, doing business as, "Connie's Distributing Company", Chadron, Nebraska requesting that Permit No. M-8431 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8431, heretofore issued to James Konopasek, doing business as, "Connie's Distributing Company", Chadron, Nebraska be, and the same is hereby, declared cancelled effective October 15, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,

this 3rd day of December, 19 64.

hc

(Decision No. 64143)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
FISCHBACH AND MOORE, INCORPORATED)
AND THE HOWARD P. FOLEY COMPANY)
(A JOINT VENTURE), 1707 PACIFIC) PERMIT NO. M-10482
AVENUE, CHEYENNE, WYOMING.)
)

December 3, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Fischbach and Moore, Inc., & The Howard P. Foley Company (A Joint Venture), Cheyenne, Wyoming requesting that Permit No. M-10482 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10482, heretofore issued to Fischbach and Moore, Inc., & The Howard P. Foley Company (A Joint Venture), Cheyenne, Wyoming be, and the same is hereby, declared cancelled effective November 1, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard S. Bjelland
Ralph C. Hilliard
Commissioners

Dated at Denver, Colorado,
this 3rd day of December, 19 64.

hc

(Decision No. 64144)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
KENNETH R. HICKEY, 7081 GRAPE STREET,)
COMMERCE CITY, COLORADO.)
) PERMIT NO. M-12909
)
)

December 3, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Kenneth R. Hickey, Commerce City, Colorado requesting that Permit No. M-12909 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12909, heretofore issued to Kenneth R. Hickey, Commerce City, Colorado be, and the same is hereby, declared cancelled effective October 15, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard L. Bijelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,
this 3rd day of December, 1964.

hc

(Decision No. 64145)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
WILLIAM K. BALES, 5353 SOUTH FRANKLIN,)
LITTLETON, COLORADO) PERMIT NO. M- 14118
)
)

December 3, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from William K. Bales, Littleton, Colorado requesting that Permit No. M-14118 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14118, heretofore issued to William K. Bales, Littleton, Colorado be, and the same is hereby, declared cancelled effective October 23, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard S. Gilliland

Ralph C. Nelson

Commissioners

Dated at Denver, Colorado,

this 3rd day of December, 19 64.

hc

(Decision No. 64146)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
H. MILTON RUDY AND RUSSELL IRION,)
DOING BUSINESS AS, "RUDY AND IRION)
OIL COMPANY", P. O. BOX 1487, SYRACUSE,) PERMIT NO. M-14206
KANSAS.)

December 3, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from H. Milton Rudy and Russell Irion, dba "Rudy & Irion Oil Company", Syracuse, Kansas requesting that Permit No. M-14206 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14206, heretofore issued to H. Milton Rudy and Russell Irion, dba "Rudy & Irion Oil Company", Syracuse, Kansas be, and the same is hereby, declared cancelled effective October 1, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,

this 3rd day of December, 19 64.

hc

(Decision No. 64147)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
CARL E. HEIDT, THOMAS A. MULVEHILL)
AND HENRY W. STARR, DOING BUSINESS AS)
"PENNY PINCHER SALES COMPANY", P. O.) PERMIT NO. M-14264
BOX 51, DURANGO, COLORADO.)

December 3, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Carl E. Heidt, Thomas A. Mulvehill & Henry W. Starr, dba "Penny Pincher Sales Company", Durango, Colorado requesting that Permit No. M-14264 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14264, heretofore issued to Carl E. Heidt, Thomas A. Mulvehill & Henry W. Starr, dba "Penny Pincher Sales Company", Durango, Colorado be, and the same is hereby, declared cancelled effective October 17, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,

this 3rd day of December, 19 64.

hc

(Decision No. 64148)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
SALVADOR LEYBA, FRASER, COLORADO.)
)
) PERMIT NO. M-15190
)
)

December 3, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Salvador Leyba, Fraser, Colorado requesting that Permit No. M-15190 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15190, heretofore issued to Salvador, Leyba, Fraser, Colorado be, and the same is hereby, declared cancelled effective October 24, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard S. Bjelland

Ralph L. Carlson

Commissioners

Dated at Denver, Colorado,
this 3rd day of December, 19 64.

hc

Original

(Decision No. 64149)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF COLORADO-UTE ELECTRIC ASSOCIATION, INC., P. O. BOX 178, MONTROSE, COLORADO, FOR AN ORDER AUTHORIZING EXECUTION AND DELIVERY OF CERTAIN NOTES SECURED BY A MORTGAGE OBLIGATION TO THE UNITED STATES OF AMERICA.	APPLICATION NO. 20776-Securities SUPPLEMENTAL ORDER

November 25, 1964

Appearances: John A. Hughes, Esq., Montrose, Colorado,
John J. Conway, Esq., Denver, Colorado, and
R. Jerry Bennett, Esq., Montrose, Colorado, for Applicant;
Paul M. Brown, Denver, Colorado, and
E. R. Thompson, Denver, Colorado, for the Commission.

S T A T E M E N T

By the Commission:

On November 5, 1964, the Commission entered its Decision No. 64000 in the above-styled application.

On November 20, 1964, "Application for Rehearing" was filed with the Commission by Western Colorado Power Company, by its Attorneys.

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

F I N D I N G S

THE COMMISSION FINDS:

That Application for Rehearing filed herein should be denied.

O R D E R

THE COMMISSION ORDERS:

That Application for Rehearing in the above-styled matter, filed by Western Colorado Power Company, by its Attorneys, be, and the same hereby is, denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

CHAIRMAN HENRY E. ZARLENGO NECESSARILY
ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 25th day of November, 1964.

mls

Original

(Decision No. 64150)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WESTERN POWER & GAS COMPANY, A COR-)
PORATION, FOR AUTHORITY TO ISSUE UP) APPLICATION NO. 20836-Securities
TO 36,763 SHARES OF ITS COMMON STOCK)
OF THE PAR VALUE OF $5 PER SHARE.)

November 25, 1964

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

S T A T E M E N T

By the Commission:

Western Power & Gas Company (Applicant) filed Application No. 20836-Securities with this Commission on November 2, 1964. By such application, Applicant seeks authority of this Commission to issue up to 36,763 shares of its common stock of the par value of $5 per share. Said application was set for hearing after due notice to all interested parties, in compliance with the statutes of the State of Colorado and the rules and regulations of this Commission, at ten o'clock A.M., on Tuesday, November 17, 1964, in Room 532, State Services Building, Denver, Colorado. This Application No. 20836 was heard upon a joint record with Application No. 20827-Transfer and with Application No. 20828-Securities Amended, with the provision that separate orders would issue. No petitions were filed in opposition to the application, and no one appeared at the hearing opposing the authority sought thereby.

Applicant is a corporation organized and existing under the laws of the State of Delaware, duly authorized by is certificate of incorporation and by law to conduct business in the State of Colorado. A certified copy of its authorization by the Secretary of State of Colorado to do business in the State of Colorado as a foreign corporation is on file with the Commission. Its principal office in Colorado is at 115 West Second Street, Pueblo, Colorado; its general offices are at 233 South 10th Street, Lincoln, Nebraska 68508.

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 Worthington Telephone Company. Central Telephone Company, in turn, owns a majority of the common stock of Dixon Home Telephone Company, La Crosse Telephone Corporation, Middle States Telephone Company of Illinois, Morris Telephone Company 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.

Applicant's Board of Directors has declared a dividend upon the common stock of the Applicant payable in common stock of the Applicant December 19, 1964, at the rate of one share for each 100 shares to holders of record at November 16, 1964. The number of common shares outstanding at August 31, 1964, was 3,127,093 and the number of shares then reserved for issuance upon conversions of convertible debt securities, completion of employee stock purchase programs and exercises of stock options outstanding was 549,231, on the basis of which it is calculated that the dividend shares which may be issuable will not exceed 36,763. Only full shares will be issued; fractional shares will be paid for in cash based upon the bid price

for common stock of the Company on the over-the-counter market on November 16, 1964.

The value of the full dividend shares issued (and the amount of cash paid in lieu of fractional shares) will be charged to the Applicant's retained earnings. The par value ($5) of each share issued will be credited to common stock capital and the balance of the value of such share will be credited to premium on common stock account. The Applicant has adequate retained earnings for this purpose.

The Applicant represents that it has expended for construction, extension and improvement of its facilities out of its retained earnings an amount in excess of the aggregate of the amounts to be transferred to common stock capital and premium on common stock account in connection with the issuance of the dividend shares.

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 36,763 shares of its common stock of the par value of $5 per share for the purposes and on the terms 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 36, 763 shares of its common stock of the par value of $5 per share for the purposes and on the terms 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. 20836

That within ninety (90) days after the final delivery of the shares of common stock to be issued as a dividend Applicant shall file with the Commission a verified report showing the issue of such securities and the costs and expenses incurred by the Applicant incident to such issue and the journal entries reflecting such transactions on the books of Western Power & Gas Company.

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

That the Commission maintains jurisdiction of these proceedings to the end that it may make such further Order or Orders in the premises as to it may seem proper and desirable; however the authorization hereby granted shall expire if and to the extent that it has not been exercised by March 1, 1965.

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

Commissioners

CHAIRMAN HENRY E. ZARLENGO
NECESSARILY ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 25th day of November, 1964.

et.

Original

(Decision No. 64151)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF WESTERN POWER & GAS COMPANY, A DELAWARE CORPORATION, FOR AUTHORITY TO ASSIGN ITS CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY AND RIGHTS THEREUNDER TO WESTERN POWER & GAS COMPANY, INC., A KANSAS CORPORATION.

APPLICATION NO. 20827-Transfer

November 25, 1964

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

S T A T E M E N T

By the Commission:

This is an application by Western Power & Gas Company, a Delaware corporation duly qualified to do business in the State of Colorado, for authority to assign and transfer to Western Power & Gas Company, Inc. (currently Western Light & Telephone Company, Inc.), a Kansas corporation, all certificates of public convenience and necessity owned and held by Western Power & Gas Company.

This matter was set for hearing with notice to all interested parties in compliance with the statutes of Colorado and the rules and regulations of this Commission, at ten o'clock A.M. on Tuesday, November 17, 1964, in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado.

Application No. 20827 was heard upon a joint record with Application No. 20828-Securities (amended), and Application No. 20836

with the provision that separate orders would issue.

No one filed a protest or appeared at the hearing in opposition to the authority sought to be granted in this application and at the conclusion thereof the matter was taken under advisement.

Applicant is a corporation organized and existing under and by virtue of the laws of the State of Delaware, duly authorized by its certificate of incorporation and by law to conduct business in the State of Colorado. Applicant is a public utility subject to the jurisdiction of this Commission, engaged, among other things, in the generation, transmission, distribution and sale of electric energy at various locations within the Counties of Pueblo, Otero, Crowley, El Paso, Fremont, Teller and Custer, in the State of Colorado.

Western Light & Telephone Company, Inc. is a Kansas corporation, and is, among other things, authorized to engage in and conduct any one or more or all of the businesses commonly classed as public utilities, including the business of supplying, for employment in any manner in which the same may be employed, power and energy in the form of electrical current; and to acquire, maintain and operate any plant or property for the production, sale and distribution of electric energy; and to carry on such business and hold, own and operate such plants or properties anywhere. Western Light is currently engaged in the electric, gas, water and telephone utility businesses, serving, at June 30, 1964, 53,135 retail and 13 wholesale electric customers in a total of 157 communities in Kansas, 5,296 gas customers in 11 communities in Kansas, 6,960 water customers in five communities in Kansas, and 44,212 company-owned telephones in and around 42 communities in Missouri, Iowa and Kansas. Its gross plant accounts at June 30, 1964, aggregated $83,684,279 and its operating revenues for the twelve months then ended were $20,175,761, of which $15,876,452 were derived from sales of electric

power and energy.

Pursuant to due authorization by their respective Boards of Directors and as approved, ratified and adopted by the requisite votes of their respective stockholders, Western Light & Telephone Company, Inc. and Western Power & Gas Company have entered into an Agreement of Merger dated as of September 17, 1964, whereby Western Power & Gas Company will be merged into Western Light & Telephone Company, Inc., which, under the changed name of Western Power & Gas Company, Inc., will be the surviving corporation. Such change in name will be made by the amended Articles of Incorporation of Western Light & Telephone Company, Inc. to become effective upon the merger. A copy of such Agreement of Merger and of said proposed amended Articles of Incorporation was furnished to the Commission with said application and was introduced as an exhibit on the hearing of said application.

On the consummation of such merger Western Power & Gas Company will cease to exist as a corporation, and all of its property, real, personal and mixed, and all debts due to it on whatever account, as well for stock subscriptions as all other things in action, and all of its rights, privileges, powers and franchises, as well of a public as of a private nature, will, subject to all requisite prior approvals or consents of governmental authorities having jurisdiction, thereupon pass to, and vest in, said Western Power & Gas Company, Inc., subject to all debts, restrictions, liabilities and duties of Western Power & Gas Company and all liens upon its properties and all rights of creditors with respect thereto, which will become incumbent upon Western Power & Gas Company, Inc. to the same extent as if incurred or contracted by said Western Power & Gas Company, Inc. The assignment, by virtue of said proposed merger, of the certificates of public convenience and necessity issued by this Commission to Western Power & Gas Company or its predecessors and owned and held by Western Power & Gas Company is subject to the authorization of

this Commission, pursuant to Section 115-5-5 of the Public Utilities Law of Colorado. Such certificates of public convenience and necessity are as follows:

Decision No. 15848, dated August 24, 1940,
Application No. 5449

Decision No. 24006, dated January 11, 1945,
Application No. 1047-B

Decision No. 35197, dated August 16, 1950,
Application No. 10306

Decision No. 44516, dated August 25, 1955,
Application No. 13545

Decision No. 37776, dated November 23, 1951,
Application No. 11341

Decision No. 40022, dated January 30, 1953,
Application No. 12124

Decision No. 40021, dated January 30, 1953,
Application No. 12159

Decision No. 43925, dated January 20, 1955,
Application No. 13180

Decision No. 45336, dated February 9, 1956,
Application No. 14012

Decision No. 48324, dated July 10, 1957,
Application No. 15431

Decision No. 54984, dated August 25, 1960,
Application No. 17959-Extension

Decision No. 57576, dated November 24, 1961,
Application No. 18733

Decision No. 57957, dated January 29, 1962,
Application No. 18898

Decision No. 57958, dated January 29, 1962,
Application No. 18899

Decision No. 58471, dated April 26, 1962, as supplemented by Decision No. 58542, dated May 4, 1962, Application No. 19017

Decision No. 59714, dated November 29, 1962,
Application No. 19422

Decision No. 61114, dated July 26, 1963,
Application No. 19832

Decision No. 61774, dated November 15, 1963,
Application No. 20071

Decision No. 61775, dated November 15, 1963, Application No. 20072

Decision No. 35584, dated November 2, 1950, Application No. 10760. There is pending before the Commission Application No. 20384 for a certificate of public convenience and necessity to serve the Town of Fowler and surrounding territory pursuant to a new franchise dated December 3, 1963, granted by said municipality to Western Power & Gas Company.

Decision No. 33416, dated September 8, 1949, Application No. 10098. There is pending before the Commission Application No. 20385 for a certificate of public convenience and necessity to serve the City of Rocky Ford and surrounding territory pursuant to a new franchise dated March 17, 1964, granted by said municipality to Western Power & Gas Company.

All other certificates of public convenience and necessity, if any, owned by Western Power & Gas Company, which may have been unintentionally omitted herefrom.

Applicant introduced in evidence an exhibit setting forth an explanation of said proposed merger, together with financial statements, maps and other information, which was sent to the stockholders of both companies and which adequately and satisfactorily sets forth the essential features of the proposed merger and portrays the financial condition of the respective contracting parties and contains a pro forma showing of the financial condition of the proposed surviving corporation resulting from the merger, from which it appears that the surviving corporation will be capable of assuming and carrying out the obligations of the constituent corporations, and particularly of Western Power & Gas Company. Mr. E. P. Hennek, President of Western Light & Telephone Company, Inc., testified, at the hearing, that if and when the Agreement of Merger of said two corporations becomes effective Western Light is willing, under the changed name of Western Power & Gas Company, Inc., to accept and assume, and that it is and will be fully able to, and will, perform and carry out, all the duties and obligations incumbent on Western

Power & Gas Company under any and all certificates of publis convenience and necessity granted by this Commission to Western Power & Gas Company or its predecessors and now owned and held by said Western Power & Gas Company and covered in said application. The franchises granted to Western Power & Gas Company or its predecessors by the cities of Pueblo and Canon City are transferable only with the consent of the councils of those cities. Applicant introduced evidence that the necessary consents had been received.

Mr. Hennek also testified that, in his opinion, this merger would be advantageous to both the Colorado customers and the stockholders of Western Power & Gas Company because of the ability of a larger company to obtain more favorable financing and also because of the diversification of both business and territory of the merged company. It was also his opinion that after the merger the Colorado operations of Western Power & Gas Company should not experience an increase in Administrative and General Expense. Mr. Hennek stated that he did not envision any material changes in the operations in Colorado as a result of the merger. The application states, and Mr. Hennek testified, that upon the merger Western Power & Gas Company, Inc. would, as provided in Rule 23 of the Commission's Rules of Practice and Procedure, adopt the rates, rules and regulations of Western Power & Gas Company now on file with this Commission.

Mr. Leonard T. Nelson, Secretary-Treasurer of Western Power & Gas Company, also testified in behalf of the merger and it was his opinion that benefits would accrue both as to financing and in operations. It was also his opinion that no increase in Administrative and General Expense would be allocated to the Colorado operations because of the merger.

The Commission has reviewed this application and all evidence presented by Applicant in support thereof, and believes

the authority sought herein should be granted.

F I N D I N G S

THE COMMISSION FINDS:

That the Commission has jurisdiction of Applicant herein, Western Power & Gas Company, and of the subject matter involved in this application.

That the Commission is fully advised in the premises.

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

That pursuant to 115-5-5, Colorado Revised Statutes 1953, Western Power & Gas Company should be granted authority to assign and transfer to Western Power & Gas Company, Inc., a Kansas corporation, if and when said proposed merger shall become effective, each, every and all of the certificates of public convenience and necessity granted by this Commission to Western Power & Gas Company or its predecessors and now held and owned by Western Power & Gas Company, as hereinbefore set forth.

That at such time as the merger is consummated, Western Power & Gas Company, Inc. should, in accordance with Rule 23 of the Commission's Rules of Practice and Procedure, adopt the rates, rules and regulations of Western Power & Gas Company now on file with this Commission.

O R D E R

THE COMMISSION ORDERS:

That Western Power & Gas Company be, and it is hereby, granted authority and permission to assign and transfer to Western Light & Telephone Company, Inc., a Kansas corporation, under the changed name, by amendment, of Western Power & Gas Company, Inc., each, every and all of the certificates of public convenience and necessity hereinbefore specifically set forth, and all other such certificates of public convenience and necessity not hereinbefore

specifically set forth, if any, granted by this Commission to Western Power & Gas Company, or its predecessors, and now owned and held by Western Power & Gas Company, if, as and when the proposed merger of said Western Power & Gas Company into Western Light & Telephone Company, Inc., under the changed name of Western Power & Gas Company, Inc., shall become effective, provided that this Commission shall have been notified by Western Power & Gas Company, Inc. in writing not later than June 30, 1965, that such merger has been consummated.

That at such time as the merger is consummated, Western Power & Gas Company, Inc. shall, in accordance with Rule 23 of the Commission's Rules of Practice and Procedure, adopt the rates, rules and regulations of Western Power & Gas Company now on file with this Commission.

That Western Power & Gas Company, Inc. shall maintain its books and records for its Colorado properties and operations in accordance with the Uniform System of Accounts prescribed by this Commission; and shall file annual reports on a calendar year basis for the corporation alone and separately for the Colorado portion of its system, all in accordance with the Commission's Rules of practice and procedure.

That the authority herein given shall be of no force and effect if (1) Western Power & Gas Company shall, prior to June 30, 1965, notify this Commission in writing that such merger has been abandoned, or (2) if by June 30, 1965, this Commission has not received advice in writing from Western Power & Gas Company, Inc. that the merger has been effected.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

CHAIRMAN HENRY E. ZARLENGO
NECESSARILY ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 25th day of November, 1964.

et.

(Decision No. 64152)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF WESTERN LIGHT & TELEPHONE COMPANY, INC., FOR AUTHORITY TO ASSUME LIABILITY UPON CERTAIN LONG-TERM INDEBTEDNESS AND OTHER OBLIGATIONS AND TO ISSUE CERTAIN ADDIONAL SECURITIES.

APPLICATION NO. 20828
SECURITIES

November 25, 1964

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

This is an application by Western Light & Telephone Company, Inc. (herein sometimes called "Western Light" or "Applicant") to assume liability upon certain long-term indebtedness and to issue shares of preferred and common stock, all in connection with the proposed merger into it of Western Power & Gas Company (herein sometimes called "Westgas") with Western Light to be the surviving corporation under the name "Western Power & Gas Company, Inc." The transfer, by the merger, of the certificates of public convenience and necessity held by Westgas and under which it serves its certificated areas in Colorado with electric utility service was authorized by the Commission's Decision No. 64151, in Application No. 20827-Transfer. Application No. 20827-Transfer, Application No. 20828-Securities, and Application No. 20836 were heard upon a joint record, with the provisions that separate Orders

would issue.

Said Application No. 20828-Securities was set for hearing, with notice to all interested parties, in compliance with the statutes of Colorado and the rules and regulations of this Commission, at ten o'clock A. M., on Tuesday, November 17, 1964, in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado.

No one filed a protest or appeared at the hearing in opposition to the authority sought to be granted in this application, and at the conclusion thereof, the matter was taken under advisement.

By the testimony of its witnesses and by twenty-seven exhibits introduced into evidence and by statements contained in its application hereof, Western Light supported its prayer in this instant matter summarily as follows:

Western Light is a corporation organized and existing under the laws of the State of Kansas, is qualified to do business in the State of Colorado and has filed with this Commission a copy of its authorization to do business in the State of Colorado, Exhibit No. 25 in this proceeding.

Western Light has entered into an Agreement of Merger, dated as of September 17, 1964, with Westgas, a Delaware corporation, Exhibit No. 1 herein. Upon the effectiveness of the proposed merger, Western Light (under the name "Western Power & Gas Company, Inc.") will acquire all of the properties and business of Westgas, and the Applicant (Under the name "Western Power & Gas Company, Inc.") will be engaged, among other things, in the business of generating, purchasing and distributing electric energy in the Counties of Pueblo, Fremont, Teller, Custer, Otero, Crowley and El Paso, in the State of Colorado, and will be an electrical corporation operating as a public utility as that term is used and defined in 115-1-3, Colorado Revised Statutes, 1953.

Upon the proposed merger, as of January 1, 1965, Applicant's authorized capital stock will consist of 7,000,000 shares of common

stock, having a par value of $5 per share; 100,000 shares of 4.75% Cumulative Preferred Stock of the par value of $50 per share; 50,000 shares of Series Cumulative Preferred Stock of the par value of $50 per share; 261,554 shares of Preferred Stock of the par value of $25 per share; and 550,000 shares of Additional Cumulative Preferred Stock without par value.

The Agreement of Merger contemplates:

(a) The change of Applicant's name from Western Light & Telephone Company, Inc., to "Western Power & Gas Company, Inc."

(b) The split of Applicant's shares of common stock of the par value of $5 each outstanding on the day prior to the merger by the distribution to the holders of such outstanding shares of one additional share for each three shares held.

(c) The merger of Westgas into the Applicant, pursuant to the corporation laws of Delaware and Kansas, the Applicant (under the name "Western Power & Gas Company, Inc.") to be the surviving corporation, acquiring all of Westgas's assets, subject to all of Westgas's liabilities.

(d) The change of each share of common stock of the par value of $5 each of Westgas (except shares held by dissenters from the merger) into one share of common stock of the par value of $5 each of the Applicant.

(e) The change of each share of preferred stock of Westgas (except shares held by dissenters from the merger) into one share of preferred stock of the Applicant, having the same par or stated value, dividend rate, redemption prices and other features as such preferred shares of Westgas.

(f) The assumption by the Applicant of liability upon:

(i) the First Mortgage Bonds of Westgas, issued and outstanding, consisting of sixteen series due 1969 to 1989, inclusive, with interest rates ranging from 3% to 5-1/4%, all issued under an Indenture dated November 1, 1943, from Southern Colorado Power Company (to which Westgas is successor) to The International Trust Company, as Trustee (The First National Bank of Chicago and William K. Stevens being now the Trustees), as supplemented and amended;

(ii) the 4-1/8% Sinking Fund Debentures due April 1, 1967, of Westgas, issued and outstanding under an Indenture dated as of April 1, 1952, from Central Electric & Gas Company (now Westgas) to Harris Trust and Savings Bank, as Trustee, as supplemented and amended;

(iii) the 5% Convertible Promissory Notes due 1973-1977, inclusive, of Westgas, issued and outstanding to The Equitable Life Assurance Society of the United States under a Loan Agreement dated as of March 1, 1962;

(iv) the 5% Convertible Debentures due March 1, 1977, of Westgas, issued and outstanding, under an Indenture dated March 1, 1962, between Westgas and Harris Trust and Savings Bank, as Trustee, as amended and supplemented, in an aggregate principal amount not exceeding the principal amount of 5% Convertible Promissory Notes due 1973-1977, inclusive, surrendered and cancelled in exchange therefor;

(v) the 4-7/8% Convertible Subordinated Debentures due November 1, 1971, issued by Central Electric & Gas Company (now Westgas) issued and outstanding under an Indenture to City National Bank and Trust Company of Chicago (to which Continental Illinois National Bank and Trust Company of Chicago is successor), as Trustee, dated as of November 1, 1956;

(vi) the 4-3/4% Convertible Subordinated Debentures due November 1, 1973, issued by Central Electric & Gas Company (now Westgas), issued and outstanding under an Indenture to City National Bank and Trust Company of Chicago (to which Continental Illinois National Bank and Trust Company of Chicago is successor), as Trustee, dated as of November 1, 1958;

(vii) the 5% Convertible Subordinated Debentures due January 15, 1975, issued by Central Electric & Gas Company (now Westgas), issued and outstanding under an Indenture to City National Bank and Trust Company of Chicago (to which Continental Illinois National Bank and Trust Company of Chicago is successor), as Trustee, dated as of January 15, 1960;

(viii) the 4-1/4% Convertible Subordinated Debentures due February 15, 1978, of Westgas, issued and outstanding under an Indenture to Continental Illinois National Bank and Trust Company of Chicago, as Trustee, dated as of February 15, 1963.

Applicant had outstanding at June 30, 1964, 161,554 shares of 5% Preferred Stock, 8,111 shares of 5.20% Preferred Stock and 100,000 shares of 4.80% Preferred Stock, all of the par value of $25 each; and 1,254,622 shares of Common Stock of the par value of $5 each. All shares of the 5.20% Preferred Stock have, since June 30, 1964, been retired by conversion into common shares or by redemption.

None of the other such shares, except those held by dissenters from the merger, will be retired or cancelled in the merger. Applicant also had reserved at June 30, 1964, a total of 12,977 shares of Common Stock issuable upon conversions of said 8,111 shares of 5.20% Preferred Stock, and 2,110 shares reserved for issuance to employees upon completion of payment therefor pursuant to Applicant's Employee Stock Ownership Plan.

At the hearing, Applicant requested and was granted leave to supplement the original application herein to cover the issuance of such additional common shares as may be issuable in payment of a dividend declared October 29, 1964, in common shares payable at the rate of 1-1/3 shares for each 100 common shares held of record on the day preceding the merger, conditioned upon the effectiveness of the merger. Since the Agreement of Merger was entered into, Westgas has declared a 1% stock dividend on its common stock and the issuance of these additional common shares of Applicant is intended to maintain the respective interests in the merged corporation of the common stockholders of Applicant and of Westgas in the same ratio as at the date of the Agreement of Merger.

At June 30, 1964, the outstanding 5% Convertible Prommissory Notes and Convertible Subordinated Debentures of Westgas were convertible into an aggregate of 493,857 common shares of Westgas, 17,539 common shares of Westgas were reserved for issuance upon completion of payment therefor under its Employees' Stock Purchase Programs, 70,510 common shares of Westgas were reserved for issuance upon exercise of options granted and outstanding under its Restricted Stock Option Plan and 54,100 common shares of Westgas were reserved for issuance upon the exercise of options which may be granted under its Qualified Stock Option Plan. The obligations to issue such reserved common shares of Westgas or their equivalent in Applicant's shares will be assumed by

Applicant upon the merger. Westgas may, prior to the effectiveness of the merger, issue up to 36,763 common shares in payment of a 1% stock dividend on its common stock, for which authority was sought in Application No. 20836 and granted by Decision No. 64150.

Upon the merger, each common share of Westgas (except the shares held by dissenters, if any, from the merger) will be converted into one common share of the Applicant. Except for shares held by dissenters from the merger, if any, each outstanding share of preferred stock of Westgas will be converted into one share of preferred stock of the Applicant having the same class and series designation, par or stated value, dividend rate, redemption prices and other features, ranking equally as to priority in dividends and assets with the outstanding preferred stock of the Applicant.

The outstanding unconverted Convertible Promissory Notes (and the Convertible Debentures for which they may be exchanged) and Convertible Subordinated Debentures of Westgas will be assumed by the Applicant and, after the merger, will be convertible, respectively, into as many common shares of the Applicant as the number of Westgas shares they would, before the merger, have been convertible into (i.e., if none of such Convertible Notes, Convertible Debentures or Convertible Subordinated Debentures were converted before the merger, a maximum of 493,857 such common shares based on June 30, 1964, figures).

The First Mortgage Bonds of Westgas and the Indenture dated November 1, 1943, as amended, under which such bonds were issued and are outstanding, will be assumed by the Applicant. The outstanding bonds of Western Light and the indenture under which they were issued will not be affected by the merger.

There were introduced in evidence Exhibit No. 1, Agreement of Merger between Western Light and Westgas; Exhibit No. 2, Explanation of Proposed Merger with financial statements, maps and other information; Exhibit No. 13(a), a proof of a proposed Supplemental Trust

Indenture from the Applicant to The First National Bank of Chicago and William K. Stevens, Trustees; Exhibits Nos. 14(h), 16(a), 16(b),17(b), 18(b), 19(b) and 20(b), each being a proof of a proposed supplemental indenture or other instrument by which Applicant will assume the respective debt obligations of Westgas; and Exhibit 22, a copy of the Employee Stock Ownership Plan of the Applicant. Other exhibits were incorporated by reference to prior proceedings before this Commission.

Exhibit No. 2 sets forth the balance sheets and income statements of Westgas and Western Light and the pro forma balance sheet and income statement of Western Power & Gas Company, Inc., after the merger. Exhibit No. 2 shows that as of June 30, 1964, Westgas had a debt ratio to total capitalization of 44%, and that Western Light had a debt ratio of 48%. After the proposed merger, the total amount of debt will stand at approximately 46% of total capitalization.

The financial statements included in Exhibit No. 2 indicate that the respective merging corporations are in strong financial condition and Applicant stated that the proposed merger will improve their ability to secure necessary capital for growth and expansion.

As was brought out at the hearing, particularly in connection with the transfer of the certificates of convenience and necessity of Westgas, the merger of the two companies' operations, consisting of electric, telephone, natural gas and water service, will result in a desirable diversified operation in several states and in different types of markets. Mr. E. P. Hennek, President of Applicant, envisioned no increasing costs of operation directly as a result of this merger, and Mr. L. T. Nelson, Secretary-Treasurer of Westgas, stated that in all probability various benefits in the area of administrative and general expense would accrue to the surviving corporation. In view of the fact that the transfer of certificates of public convenience and necessity resulting from the merger of the two companies is approved by Decision No. 64151, dated November 25, 1964, in Application No. 20827, it follows

that the exchange of securities and the assumption of the long-term indebtedness by the Applicant and the issuance of such shares of common and preferred stock to effect equitably such transfer and merger are not inconsistent with the public interest and should be authorized and approved.

F I N D I N G S

THE COMMISSION FINDS:

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

That the Commission is fully advised in the premises.

That Western Power & Gas Company, operating electric facilities in the State of Colorado, is a public utility as defined in Chapter 115-1-3, Colorado Revised Statutes 1953, and that upon the effectiveness of the proposed merger Applicant, Western Light & Telephone Company, Inc., will be a public utility operating in the State of Colorado, as defined by Colorado Revised Statutes 1953, Chapter 115-1-3.

That pursuant to Chapter 115-1-4, Colorado Revised Statutes, 1953, Applicant should be granted authority to issue the securities and to assume the obligations upon long-term indebtedness, all as herein set forth, and all conditioned upon the consummation of the proposed merger and compliance with the Commission's Decision No. 64151, Application No. 20827-Transfer.

O R D E R

THE COMMISSION ORDERS:

That, upon the merger into it of Western Power & Gas Company, Western Light & Telephone Company, Inc. (under the name "Western Power & Gas Company, Inc."), be, and it is hereby, authorized and empowered to:

1. Issue to each holder of record of Western Light & Telephone Company, Inc's., common shares on the day preceding the merger such number

of full shares as such holder may be entitled to at the rate of .34-2/3 shares for each share so held of record.

2. Issue the common shares into which, by the merger, the common shares of Westgas (other than any shares held by dissenters from the merger) will be changed.

3. Issue the common shares issuable under the Sixth and Seventh Employees' Stock Purchase Programs of Westgas.

4. Assume the obligations of Westgas under the options now outstanding under its Restricted Stock Option Plan and issue the common shares issuable upon the exercise of such options.

5. Assume the Qualified Stock Option Plan of Westgas, issue options thereunder for not more than 54,100 common shares (subject to adjustment as in the Plan provided) and issue the common shares issuable upon the exercise of such options.

6. Issue the 4.75% Cumulative Preferred Stock, Series A, the 4.75% Cumulative Preferred Stock, Series B, the 4.72% Series Preferred Stock (First Series), 4.72% Series Preferred Stock (Second Series), and the Cumulative Preferred Stock, $2.75 Dividend Series, $2.55 Dividend Series, $2.35 Dividend Series and $4.70 Dividend Series, into which the corresponding shares of preferred stock of Westgas (except any shares held by dissenters from the merger) will be changed.

7. Assume the 4-7/8% Convertible Subordinated Debentures due November 1, 1971, of Westgas outstanding at the date of the merger and issue the common shares of the Applicant into which, after the merger, such Convertible Subordinated Debentures will be convertible.

8. Assume the 4-3/4% Convertible Subordinated Debentures due November 1, 1973, of Westgas outstanding at the date of the merger and issue the common shares of the Applicant into which, after the merger, such Convertible Subordinated Debentures will be convertible.

9. Assume the 5% Convertible Subordinated Debentures due January 15, 1975, of Westgas outstanding at the date of the merger and issue the common shares of the Applicant into which, after the merger, such Convertible Subordinated Debentures will be convertible.

10. Assume the 4-1/4% Convertible Subordinated Debentures due February 15, 1978, of Westgas outstanding at the date of the merger and issue the common shares of the Applicant into which, after the merger, such Convertible Subordinated Debentures will be convertible.

11. Assume the 5% Convertible Promissory Notes due 1973-1977, inclusive, of Westgas outstanding at the date of the merger, and any 5% Convertible Debentures due March 1, 1977, for which such Notes, in whole or in part, may have been exchanged and which may be outstanding at the date of the merger, issue 5% Convertible Debentures due March 1, 1977, in exchange for 5% Convertible Promissory Notes of a like principal amount, and issue the common shares of the Applicant into which, after the merger, such Notes and such Debentures will be convertible.

12. Assume the 4-1/8% Sinking Fund Debentures due April 1, 1967, of Westgas outstanding at the date of the merger.

13. Assume the First Mortgage Bonds of Westgas outstanding at the date of the merger.

14. Issue the common shares issuable pursuant to its Employee Stock Ownership Plan.

That within ninety (90) days after the consummation of the merger, Applicant shall file with this Commission conformed copies of documents identified as Exhibits Nos. 1, 13(a), 14(h), 16(a), 16(b), 17(b), 18(b), 19(b) and 20(b).

That all of the securities issued hereunder, including certificates representing shares of common and preferred stocks of Western Power & Gas Company, Inc., hereafter issued upon original issues,

transfers, reissues or exchanges, shall bear on the face thereof for proper and easy identification thereof a legend as follows:

C.P.U.C. Identification No. 20828

That Western Light & Telephone Company, Inc., be, and it hereby is, authorized to enter in its books of account the transactions resulting from the consummation of the proposed merger of Western Power & Gas Company into Western Light & Telephone Company, Inc., as the surviving corporation with the result that on the balance sheet of the surviving corporation the assets and liabilities of Western Power & Gas Corporation will be reflected in the amounts which are carried on the books of Western Power & Gas Corporation, subject to such adjustments as may be made in accordance with generally accepted accounting principles and in accordance with the uniform systems of accounts as prescribed by this Commission insofar as the operations of the surviving corporation are under the jurisdiction of this Commission; and that the surviving corporation, Western Light & Telephone Company, Inc., shall file with this Commission financial and operating annual reports on a calendar year basis for the Corporation alone and separately for its operations in the State of Colorado, all in accordance with the Rules of Practice and Procedure of the Public Utilities Commission of the State of Colorado.

That nothing herein shall be construed to imply any recommendation or guarantee of, or any obligation with respect to, the securities authorized to be issued or assumed by Western Power & Gas Company, Inc., on the part of the State of Colorado.

That the authority herein given shall be of no force and effect if

(1) Western Light & Telephone Company, Inc., shall, prior to June 30, 1965, notify this Commission, in writing, that such merger has been abandoned, or

(2) If by June 30, 1965, this Commission has not received advice in writing from Western Power & Gas Company, Inc., that the merger has been effected.

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

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

CHAIRMAN HENRY E. ZARLENGO NECESSARILY
ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 25th day of November, 1964.

mls

(Decision No. 64153)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
GABOR CSEH, DOING BUSINESS AS,) PUC NO. 5632
"LAKE ELDORA BUS COMPANY", P. O.)
BOX 100, NEDERLAND, COLORADO.)
)

November 25, 1964

S T A T E M E N T

By the Commission:

On August 1, 1964, the Commission authorized Gabor Cseh, doing business as, "Lake Eldora Bus Company", to further suspend operations under his PUC No. 5632, until February 1, 1965.

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. 5632, should be, and the same hereby is, reinstated as of November 23, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 25th day of November, 1964.

hc

Original

(Decision No.64154)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF SOUTHERN UNION GAS COMPANY, DALLAS, TEXAS, FOR AN ORDER AUTHORIZING THE ISSUANCE OF A MAXIMUM OF 843,914 SHARES OF COMMON STOCK.	APPLICATION NO. 20826-Securities

November 25, 1964

Appearances: A. S. Grenier, Esq., Dallas, Texas, and John R. Barry, Esq., Denver, 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:

The Applicant herein, Southern Union Gas Company (Southern Union), filed this application on October 27, 1964, seeking authority of the Commission to issue a maximum of 843,914 shares of its common stock, par value $1.00 per share, in consummation of a 5-for-4 split of Applicant's common stock proposed to be made effective as of the close of business on December 31, 1964.

By the Commission's Decision and Order No. 63951 this matter was set for public hearing November 20, 1964, at 10:00 o'clock A.M., 532 State Services Building, Denver, Colorado. At such time and place, after due notice to all interested parties, the application was heard and at the conclusion thereof taken under advisement by the Commission. 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.

Applicant is a corporation organized under the laws of Delaware, and is lawfully transacting a public utility business in

Colorado, owning and operating a gas transportation system in La Plata County, and a gas distribution system serving Durango, Colorado, and vicinity. Applicant also is extensively engaged in the operation of natural gas utility properties located in Texas, New Mexico and Arizona, and through two wholly owned subsidiaries it is engaged to a lesser degree in the businesses of exploring for and producing oil and natural gas, and in the gathering of natural gas for resale in the field to Applicant and other purchasers.

As a witness for Applicant, Scott Hughes, its Executive Vice President and chief financial officer, testified to the following matters as set forth summarily below:

As of September 30, 1964, Southern Union had outstanding, including shares issuable upon surrender of stock certificates issued by certain of its corporate predecessors, 3,325,398 shares of common stock including 12,864 shares resulting from exercised stock options up to this date. Based upon such number of shares, Southern Union, shortly after December 31, 1964, proposes to issue a maximum of 831,349 additional shares of its common stock to its stockholders of record as of said record date.

No fractional shares of common stock will be issued incident to the stock split. Applicant's Board of Directors will make provivions for determining the fair market value of a full share of its common stock as of the close of business on December 31, 1964, after giving effect to the split. Payment in cash on the basis of such determination will be made to each stockholder whose shares are not evenly divisible by four, in lieu of issuing to any such stockholder the fractional share to which he might otherwise have been entitled.

The proposed stock split will result in no change in Southern Union's total common stock equity, except to the extent of the reduction in such equity effected by the cash payments for fractional shares referred to above and by payment of other minor related expenses.

With regard to shares of common stock authorized to be issued under its restricted stock option plan, Southern Union on April 11, 1963 received authority from this Commission, Decision and Order No. 60468, to issue 63,125 shares of its common stock. As of September 30, 1964, as stated above, 12,864 shares had been issued and are outstanding, leaving 50,261 shares authorized and unissued under options for purchase.

Under the terms of said options, the number of shares issuable pursuant thereto and the purchase price of the shares covered thereby are subject to increase or decrease from time to time in proportion to any subsequent change in applicant's issued and outstanding common stock resulting from a stock split. Accordingly upon consummation of the stock split contemplated herein a maximum of 12,565 additional shares of common stock will be added to the 50,261 shares now authorized and unissued. Therefore, the total number of shares of common stock to be authorized in the Order to follow is 843,914 shares, consisting of 831,349 additional shares to stockholders of record date and the 12,565 additional shares to the 50,261 shares under option.

This stock split will have no effect on the maximum aggregate proceeds to be received from the sale of the 63,125 shares authorized by Decision and Order No. 60468 (63,125 x $23.28 = $1,469,550). All such proceeds received by applicant, whether before or after the effectiveness of the stock split, will continue to be applied and expended in the same manner for the same purposes as were originally specified in Decision and Order No. 60468.

As evidence of Applicant's financial position, there was introduced into evidence Applicant's balance sheet as of September 30, 1964 and a pro forms balance sheet as of the same date showing the results of the proposed stock split, Exhibit "A".

F I N D I N G S

THE COMMISSION FINDS:

That the Applicant, Southern Union Gas Company, a Delaware corporation, is a public utility as defined by Section 115-1-3, Colorado Revised Statutes, 1953.

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

That this Commission is fully advised in the premises.

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

That the issuance, as proposed by the Applicant, of not to exceed 843,914 shares of common stock, par value $1.00 per share, is not inconsistent with the public interest; and that the purposes thereof are permitted by and are consistent with the provisions of Chapter 115, Colorado Revised Statutes, 1953.

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

O R D E R

THE COMMISSION ORDERS:

1. To the full extent that approval and authorization are required by the laws of Colorado, the application of Southern Union Gas Company in this proceeding is hereby granted and approved, and Southern Union Gas Company is hereby authorized to issue not to exceed 843,914 shares of its common stock, par value $1.00 per share, in consummation of a 5-for-4 split of its common stock, all in the manner hereinabove specified.

2. That Southern Union Gas Company be,and it is hereby, authorized to take such further steps and actions as may be necessary or appropriate to the full consummation of the transactions hereinabove approved and authorized.

3. That Southern Union Gas Company be, and it is hereby, authorized to use and apply the proceeds to be derived from the transactions hereinabove authorized and approved for the purposes specified in its application in this matter.

4. That on or before March 31, 1965, Southern Union Gas Company shall file a report with this Commission showing the number of shares of its common stock which were issued in consummation of the proposed stock split to its common stockholders of record on December 31, 1964, and the basis per whole share and aggregate amount of the cash payments for fractional shares made to such record stockholders.

5. That Southern Union Gas Company shall continue to file with this Commission the reports called for by Paragraph No. 3 of Commission's Decision and Order No. 60468, such reports to cover both the shares of common stock previously covered by the options heretofore issued under Applicant's restricted stock option plan and also the additional shares hereby authorized to be issued pursuant to exercise of such options.

6. That each common stock certificate initially issued by Applicant pursuant to the authority granted herein shall be identified by a legend appearing thereon as follows:

"Colo. PUC No. 20826,"

except that all certificates representing shares of common stock issued hereafter pursuant to the exercise of options granted under Applicant's restricted stock option plan shall, without regard to whether the issuance thereof was authorized hereby or by Decision and Order No. 60468, be identified by a legend appearing thereon as follows:

"Colo. PUC No. 19647."

7. That nothing herein shall be construed to imply any recommendation or guaranty of, or any obligation with respect to,

any of the aforesaid securities or the payment of dividends thereon, on the part of the State of Colorado.

8. That the Commission retains jurisdiction of these proceedings to the end that it may make such further order or orders in the premises as may to it seem to be proper and desirable.

9. That the authority herein granted shall be effective and exercisable from and after December 31, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

CHAIRMAN
HENRY E. ZARLENGO NECESSARILY
ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 25th day of November, 1964.

et.

orig copy

(Decision No. 64155)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
SOUTHERN FARM SUPPLY ASSOCIATION INC.)
P.O. Box 1150)
Amarillo, Texas)
- - - - - - - - - - - - - - - - - -)

AUTHORITY NO. M 2293

CASE NO. 17956 Ins.

November 27, 1964

S T A T E M E N T

By the Commission:

On November 18, 1964, 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

Henry E. Zarlengo
Everett S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 27th day of November, 1964

ing copy

(Decision No. 64156)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
CLARENCE ELMER BLOOMQUIST DBA)
GRAND LAKE SAND AND GRAVEL COMPANY)
Box 517)
Grand Lake, Colorado 80447)

AUTHORITY NO. M 526

CASE NO. 17963 Ins.

November 27, 1964

S T A T E M E N T

By the Commission:

On November 18, 1964, 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

Henry E. Zarlengo

Howard S. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 27th day of November, 1964

Original

(Decision No. 64157)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF Y-W ELECTRIC ASSOCIATION, INC., A COLORADO CORPORATION, AKRON, COLORADO, FOR AN ORDER AUTHORIZING THE ISSUANCE OF SECURITIES AND THE APPLICATION OF THE PROCEEDS THEREFROM TO CERTAIN LAWFUL PURPOSES.

APPLICATION NO. 20840-Securities

November 30, 1964

Appearances: Baxter W. Arnold, Esq., Sterling, 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 filed with this Commission November 17, 1964, Y-W Electric Association, Inc., (Y-W), a Colorado corporation, seeks authority to issue a mortgage note in the principal amount of $230,000, payable to the United States of America, bearing interest at the rate of two per cent (2%) per annum and payable within thirty-five (35) years after the date thereof.

Applicant, through its legal counsel, requested that the hearing be set on this Application No. 20840-Securities as soon as possible. He stated that Y-W is presently engaged in construction of a transmission line within its certificated area and the installation of other facilities necessary to serve its electric consumers. For several reasons, including winter storms, there is an increased urgency for the procurement of these funds for the installation of such facilities and that construction costs have been met in part from

general funds of Y-W and are running low.

On November 18, 1964, the Commission issued its Decision and Order No. 64080 setting the hearing date on November 20, 1964, at 9:30 o'clock A. M., 532 State Services Building, Denver, Colorado, with due notice to all interested parties with less than the ten days' notice as provided for by Rule 13 of the Commission's Rules of Practice and Procedure. At this time and place, the matter was heard and at the conclusion thereof taken under advisement by the Commission.

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 non-profit corporation and is a member-owned public utility engaged in the business of purchasing, acquiring, accumulating, transmitting, distributing, furnishing and selling electricity to its members and to non-member consumers on its lines located in the Counties of Yuma and Washington, including the towns of Akron, Otis and Eckley, all in the State of Colorado.

Y-W Electric Association, Inc., was granted by this Commission, on January 7, 1957, a Certificate of Public Convenience and Necessity for the area set forth above and as more fully set forth in its Decision No. 47069, Application No. 13661.

In the Commission's Decision and Order No. 63424, Application No. 20581-Securities, August 4, 1964, the Commission authorized and approved an Amendment dated August 12, 1963, to Amending Loan Contract, dated July 27, 1951, as amended, between Y-W Electric Association, Inc., and the United States of America in the amount of $530,000. In this same Decision and Order, the Commission authorized the issuance of a mortgage note by Y-W Electric Association, Inc., to the United States of America for $300,000. At that time applicant's witness, Mr. C. L. Wilkins, Manager, stated that Y-W had experienced de-

lay in getting this loan and note approved by the Rural Electrification Administration and that Y-W at that time was seeking the approval of only the $300,000 note, because funds were in short supply. He also stated that the additional $230,000 would be needed within the current year and that application for authority by this Commission to issue such note would be made at a later time. This present Application No. 20840-Securities is that application.

Again there is an urgency for funds to complete the payment for the construction and facilities as set forth in the document entitled "Costs Estimates and Loan Budget for Electric Borrowers, Rural Electrification Administration," Exhibit "E".

Exhibit "E" shows that the proposed construction now under way will approximate $569,229 and that the loan budget is as follows:

Distribution Facilities

18.8 miles of distribution lines to serve 80 consumers	$ 38,200
1.8 miles of 3Ø tie-line	5,040
Conversion and line changes 1Ø to 3Ø	2,600
Substation and switching equipment	70,000
Miscellaneous equipment including 96 transformers, 80 meters, 48 yard lights, 52 house heating installations	80,056
Engineering fees	2,700
Substation metering equipment	2,500
Total distribution	$201,096

Transmission Facilities

21 miles of 115 Kv transmission line	$189,000
Substation 10,000 Kva at Idalia, Colo.	115,700
One 115 Kv Oil Circuit Breaker at Wray, Colo.	40,000
Substation site	1,000
Right-of-way for 21 miles	6,300
Engineering fees	16,133
Total transmission requirements	368,133
Total distribution and transmission	$569,229
Less funds available from prior loans	39,229
Total amount of loan	$530,000

As evidence of Y-W's financial position as of September 30,

1964, there was introduced into evidence a Balance Sheet as of this date, Exhibit "G", and a Summary of Long Term Debt, as of September 30, 1964, Exhibit "H". These financial statements show long term debt of $3,535,590, which includes advance payments to REA of $357,187. However, applicant's witness testified that this summary of long term debt did not include the $300,000 note approved by this Commission August 4, 1964. In addition to the advance payments to REA, Y-W Electric Association, Inc., on September 30, 1964, had restricted funds available for contingencies of approximately $310,000. Cash on hand stood at $45,924.

The Statement of Operations of Y-W Electric Association, Inc., for the twelve months ended September 30, 1964, Exhibit "F", indicates total operating revenues of $821,094 and operating margins of $74,203. Non-operating margins-net amount to $15,300, so that the total of all revenues exceeded all expenses by $89,503.

Applicant's witness testified that Y-W is financially able to service the loan requirements pertaining to this additional $230,000 mortgage note.

F I N D I N G S

THE COMMISSION FINDS:

That the issuance of the Mortgage Note made by Y-W Electric Association, Inc., to the United States of America for $230,000, dated November 2, 1964, Exhibit "A" herein, should be authorized and approved.

That within one hundred twenty (120) days of the execution of this Mortgage Note for $230,000 authorized herein, Applicant should file with the Commission one conformed copy of such executed note.

That the issuance of the Mortgage Note for $230,000 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.

O R D E R

THE COMMISSION ORDERS:

That the issuance of a Mortgage Note in the principal amount of $230,000 by Y-W Electric Association, Inc., to the United States of America, Exhibit "A" be, and the same is hereby, authorized and approved.

That within one hundred twenty (120) days of the execution of the Mortgage Note for $230,000 authorized herein, Y-W Electric Association, Inc., shall file with the Commission one conformed copy of such executed note.

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

That the Commission retains jurisdiction of these proceedings to the end that it may make such Order, or Orders in the premises as it may deem 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

Commissioners.

CHAIRMAN HENRY E. ZARLENGO NECESSARILY ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 30th day of November, 1964.
mls

Original

(Decision No. 64158)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE REDUCED RATES CEMENT IN BAGS AND IN BULK, IN TANK VEHICLES, FROM PORTLAND, COLORADO TO RUEDI DAM SITE, COLORADO	)	Investigation & Suspension Docket No. 544

November 27, 1964

STATEMENT AND FINDINGS

BY THE COMMISSION:

On October 30, 1964, Colorado Motor Carriers' Association, Agent, for and on behalf of Goldstein Transportation and Storage, Inc., Don Ward, Inc., and The Weicker Transfer & Storage Company, filed 2nd Revised Page No. 44-B to its Motor Freight Tariff No. 14, Colorado PUC No. 13 *(*The Motor Truck Common Carriers' Association, Agent, Series), scheduled to become effective November 30, 1964, naming reduced rates on cement, in bulk, in tank vehicles, and in bags, minimum weight 52,000 and 55,000 pounds, respectively, transported from Portland, Colorado to Ruedi Dam Site (near Basalt, Colorado) such rates being 40 and 42 cents per 100 pounds, respectively.

Upon consideration of the said schedules and the protest of The Denver and Rio Grande Western Railroad Company, and answer of Don Ward, Inc., to said protest, the proposed reduced commodity rates, may, if permitted to become effective, result in violations of the Public Utilities Law. It is the opinion of the Commission that said schedules should be suspended and an investigation instituted into and concerning the lawfulness of the rates and charges contained therein.

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. It shall enter upon a hearing concerning the lawfulness

of the rates and charges as published in Item No. 349, 2nd Revised Page No. 44-B, Motor Freight Tariff No. 14, Colorado PUC No. 13, Colorado Motor Carriers' Association, Agent, published to become effective November 30, 1964.

3. The operation of said schedules be, and it hereby is, suspended, and the use thereof deferred to and including March 30, 1965, unless otherwise ordered by the Commission.

4. The investigation in this proceeding shall not be confined to the matters and issues hereinbefore stated for instituting this investigation, but shall include all matters and issues with respect to the lawfulness of said schedules under the Public Utilities Law.

5. 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.

6. Seven days prior to the hearing date herein respondents shall provide the Secretary of the Commission with copies of any and all exhibits which respondents intend to introduce in evidence in support of their case.

7. A copy of this order shall be filed with the schedules in the office of the Commission and that copies hereof be served upon the carriers parties to said schedule and that said carriers be, and they are hereby, made respondents to this proceeding. The necessary suspension supplement shall be issued, filed and posted to the schedules referred to herein.

8. This Investigation and Suspension Docket No. 544 be, and the same hereby is, set for hearing before the Commission on the 11th day of December, 1964, at 10:00 o'clock A.M., in the Hearing Room of the

Commission, 532 State Services Building, 1525 Sherman Street, Denver, Colorado 80203

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Commissioner Henry E. Zarlengo necessarily absent and not participating.

Dated at Denver, Colorado, this
27th day of November, 1964.

av

Original

(Decision No.64159)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF ALLEN TRANSFER CO., 126 THIRD AVENUE LONGMONT, COLORADO, FOR AUTHORITY TO TRANSFER TO JACK E. EDSON AND MARJORIE J. EDSON, DOING BUSINESS AS "EDSON EXPRESS," P.O. BOX 582, LONGMONT, COLORADO, A PORTION OF PUC NO. 40.	APPLICATION NO. 20717-Transfer

November 27, 1964

S T A T E M E N T

By the Commission:

By Decision No. 64094 the Public Utilities Commission of the State of Colorado granted a rehearing on the above entitled application, to be set December 21, 1964, at 532 State Services Building, 1525 Sherman Street, Denver, Colorado.

The Commission has received a Petition to Reschedule Place of Rehearing.

The Commission has carefully considered the Petition to Reschedule Place of Rehearing and states and finds that said Petition should be granted.

O R D E R

THE COMMISSION ORDERS:

That Petition to Reschedule Place of Rehearing, filed with the Commission in Application No. 20717-Transfer, be, and it hereby is granted. Rehearing in the above entitled matter is to be held in the Auditorium, City Hall, Longmont, Colorado, at 10:00 o'clock A.M., December 21, 1964, or as the same may be continued.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Chairman Henry E. Zarlengo
necessarily absent and not
participating.

Dated at Denver, Colorado,
this 27th day of November, 1964.

et.

original copy

(Decision No. 64160)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
STANLEY NORMAN DBA)
STAN'S PRODUCE)
P.O. Box 247)
Evans, Colorado 80620)
)

AUTHORITY NO. M 5277

CASE NO. 17446 Ins.

December 1, 1964

S T A T E M E N T

By the Commission:

On October 7, 1964, 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

Henry E. Zarlengo

Harold S. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 1st day of December, 1964

(Decision No. 64161)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
)
WILLIAM D. GRAVETT, 903 EAST 13TH)
AVENUE, DENVER 18, COLORADO.) PERMIT NO. M-10658
)
)

December 10, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from William D. Gravett, Denver 18, Colorado requesting that Permit No. M-10658 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10658, heretofore issued to William D. Gravett, Denver 18, Colorado be, and the same is hereby, declared cancelled effective October 24, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,

this 10th day of December, 19 64.

hc

(Decision No. 64162)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
JAMES W. BOYD, 320 SOUTH 8TH STREET,)
LINCOLN, NEBRASKA.)
) PERMIT NO. M-6411
)
)

December 10, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from James W. Boyd, Lincoln, Nebraska requesting that Permit No. M-6411 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6411, heretofore issued to James W. Boyd, Lincoln, Nebraska be, and the same is hereby, declared cancelled effective March 10, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard S. Bjelland
Ralph C. Hoyland
Commissioners

Dated at Denver, Colorado,
this 10th day of December, 19 64.

hc

(Decision No. 64163)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
AULT GRAIN AND BEAN ELEVATOR COMPANY,)
AULT, COLORADO.) PERMIT NO. M-14703
)
)

December 10, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Ault Grain & Bean Elevator Company, Ault, Colorado requesting that Permit No. M-14703 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14703, heretofore issued to Ault Grain & Bean Elevator Company, Ault, Colorado be, and the same is hereby, declared cancelled effective November 7, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard S. Bjelland
Ralph L. Hubert
Commissioners

Dated at Denver, Colorado,
this 10th day of December, 19 64.

hc

(Decision No. 64164)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
SANTA FE STEEL & SUPPLY COMPANY, P. O. BOX 158, CANADIAN, TEXAS.) PERMIT NO. M-13220

December 10, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Santa Fe Steel & Supply Co., Canadian, Texas requesting that Permit No. M-13220 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13220, heretofore issued to Santa Fe Steel & Supply Co., Canadian, Texas be, and the same is hereby, declared cancelled effective October 18, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 10th day of December, 19 64.

hc

(Decision No. 64165)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
ORR AUTO PARTS, INCORPORATED, 804)
EAST OLIVE STREET, LAMAR, COLORADO.)
) PERMIT NO. M-3905
)
)

December 10, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Orr Auto Parts, Inc., Lamar, Colorado requesting that Permit No. M-3905 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-3905, heretofore issued to Orr Auto Parts, Inc., Lamar, Colorado be, and the same is hereby, declared cancelled effective November 19, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard S. Bjelland
Ralph C. Hoover
Commissioners

Dated at Denver, Colorado,
this 10th day of December, 19 64.

hc

(Decision No. 64166)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
CLIFFORD MORTENSEN, JAROSO, COLO-)
RADO.)
) PERMIT NO. M-4535
)
)

December 10, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Clifford Mortensen, Jaroso, Colorado requesting that Permit No. M-4535 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4535, heretofore issued to Clifford Mortensen, Jaroso, Colorado be, and the same is hereby, declared cancelled effective November 12, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Harold D. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,
this 10th day of December, 19 64.

hc

(Decision No. 64167)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
GILBERT J. LUCERO, ANTONITO, COLO-)
RADO.) PERMIT NO. M-6542
)
)

December 10, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Gilbert J. Lucero, Antonito, Colorado requesting that Permit No. M-6542 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6542, heretofore issued to Gilbert J. Lucero, Antonito, Colorado be, and the same is hereby, declared cancelled effective October 18, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard L. Bellamy
Ralph C. Horlow
Commissioners

Dated at Denver, Colorado,
this 10th day of December, 19 64.

hc

(Decision No. 64168)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
MARION D. KERNS, 610 LYNN, COLORADO)
SPRINGS, COLORADO.)
) PERMIT NO. M-7784
)
)

December 10, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Marion D. Kerns, Colorado Springs, Colorado requesting that Permit No. M-7784 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7784, heretofore issued to Marion D. Kerns, Colorado Springs, Colorado be, and the same is hereby, declared cancelled effective November 4, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard S. Bjelland

Commissioners

Dated at Denver, Colorado,
this 10th day of December, 19 64.

hc

(Decision No. 64169)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
AUGUST L. SCHAB, SR., DOING BUSINESS)
AS, "SCHWAB'S PRODUCE", 501 WHITFORD)
LOVELAND, COLORADO,) PERMIT NO. M-9932
)
)

December 10, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from August L. Schwab, Sr. doing business as, "Schwab's Produce", Loveland, Colorado requesting that Permit No. M-9932 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-9932, heretofore issued to August L. Schwab, Sr. doing business as, "Schwab's Produce", Loveland, Colorado be, and the same is hereby, declared cancelled effective November 17, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 10th day of December, 19 64.

hc

(Decision No. 64170)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
GUS BOATMAN, DOING BUSINESS AS,)
"BOATMAN WATER SERVICE", P. O. BOX 802,) PERMIT NO. M-10294
FORT MORGAN, COLORADO.)
)

December 10, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Gus Boatman, doing business as, "Boatman Water Service", Fort Morgan, Colorado requesting that Permit No. M-10294 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10294, heretofore issued to Gus Boatman, doing business as, "Boatman Water Service", Fort Morgan, Colorado be, and the same is hereby, declared cancelled effective November 15, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard S. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,
this 10th day of December, 19 64.

hc

Original

(Decision No. 64171)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ENGLEWOOD TRANSIT COMPANY, ENGLEWOOD,)
COLORADO, FOR A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY AUTHORIZING) APPLICATION NO. 20429-Extension
EXTENSION OF OPERATIONS UNDER PUC NO.)
415 AND PUC NO. 415-I.)

December 2, 1964

Appearances: Edward C. Hastings, Esq.,Denver, Colorado, for Applicant;
John H. Lewis, Esq., Denver, Colorado, for B & M Service Co., Inc., G & H Truck Line, B. F. Walker, Inc., Goldstein Transportation, Inc., Protestants;
Marion F. Jones, Esq., and
Robert P. Grueter, Esq., Denver, Colorado, for Northeast Motor Freight, Westway, Bulk Transporters, Bethke Truck Lines, Red Ball Motor Freight, Inc., Consolidated Freightways, Ward Transports, Inc., Protestants;
John P. Thompson, Esq., Denver, Colorado, for Boulder-Denver Truck Line, Castle Rock Transfer; Colorado Cartage Company, Denver-Climax Truck Line, Inc., Denver-Laramie-Walden Truck Lines, Inc., Denver-Limon-Burlington Transfer Company, Denver-Loveland Transportation Company, South Park Motor Lines, Windecker Truck Line, Southwestern Transportation Company, Protestants;
Peter J. Crouse, Esq., Denver, Colorado, for Don Ward, Inc., Protestant;
Royce D. Sickler, Esq., Denver, Colorado, for Rio Grande Motor Way, Inc., Larson Transportation Company, Denver & Rio Grande Western Railroad Company, Atchison, Topeka and Santa Fe Railway Company, Protestants;
Joseph F. Nigro, Esq., Denver, Colorado, for Weicker Transfer & Storage Co., Duffy Storage & Moving Co., Inc.,Acme Delivery Service, Inc., as Interest may appear;

Chris Sorenson, Longmont, Colorado, for Dorenson Truck Service, as Interest May appear.

STATEMENT AND FINDINGS

By the Commission:

Englewood Transit Company, a corporation, is the owner and operator of Colorado P.U.C. Certificate No. 415 & I, authorizing the rendition of transportation services as follows:

> Conduct of a transfer, moving and general cartage business in the City and County of Denver and in the Counties of Adams, Arapahoe, and Jefferson, in the State of Colorado, and for occasional service throughout the State of Colorado and in each of the counties thereof, subject to the terms and conditions hereinafter stated:
>
> For the transportation of commodities other than household goods between points served singly or in combination by scheduled carriers the applicant shall charge rates which shall be as much as twenty per cent (20%) higher in all cases than those charged by scheduled carriers.
>
> The Applicant shall not operate on schedule between any points.
>
> The Applicant shall not be permitted without further authority from the Commission to establish a branch office or to have an agent employed in any other town or city than Denver for the purpose of developing business.
>
> To conduct operations within the corporate limits of the City and County of Denver, a Home Rule City, for the conduct of a transfer, moving and general cartage business.
>
> Authorized to operate and maintain its principal office and place of business within the City of Englewood, Colorado, and maintain a branch office within the corporate limits of the City and County of Denver, Colorado.
>
> 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.

On April 13, 1964, Englewood Transit Company, hereinafter referred to either by name or as Applicant, filed an application (No. 20429-Ext.) with this Commission seeking to extend its authority under the said Certificate No. 415 & I, by deleting from said authority the word "occasional" and the sentence "for the transportation of com-

modities other than household goods between points served singly or in combination by scheduled carriers the applicant shall charge rates which shall be as much as twenty per cent (20%) higher in all cases than those charged by scheduled carriers." The words which Applicant desires to have deleted from the said Certificate No. 415 & I have been underlined in the foregoing Statement of such authority. On May 11, 1964, the application was set for hearing by the Commission on May 21, 1964, at the hour of 10:00 o'clock A.M., in the Hearing Room of the Commission, 532 State Services Building, 1525 Sherman Street, Denver, Colorado. After due and proper notice to all proper parties, the hearing was held at said time and place.

During the course of the hearing, Applicant restricted its application by amending said application to read:

> "between points in the Counties of Adams, Arapahoe, Jefferson and Denver, and between points in these Counties, on the one hand, and on the other hand, points in the State of Colorado."

The application as amended seeks in effect to convert the occasional authority into what is known as an in-and-out authority, with the Counties of Adams, Arapahoe, Jefferson and Denver as the base area. Later in the hearing, the Applicant further restricted its application by inserting in the authority requested the clause,"bulk cement excepted in the scope of the application." Both amendments were authorized by the presiding Commissioner.

The hearing itself took two days, namely, May 21 and 22, 1964.

The transcripts of record as prepared by the Reporter consists of 417 pages. During the course of the hearing, Applicant introduced into evidence, and the same were admitted, seven exhibits, as follows:

> No. 1. Certified Copy of Articles of Incorporation of Englewood Transit Company.
>
> No. 2. Copy of Authority Sheet (PUC No. 415 & I) Issued by Colorado Public Utilities Commission to Englewood Transit Company.

No. 3. Profit and Loss Statement of Englewood Transit Company for Calendar Year of 1963.

No. 4. Balance Sheet of Englewood Transit Company as of January 1, 1964.

No. 5. Equipment List of Englewood Transit Company.

No. 6. Copy of Decision No. 61272 of the Colorado Public Utilities Commission.

No. 7. Copy of Decision No. 62637 of the Colorado Public Utilities Commission.

The various protestants introduced into evidence four exhibits, the same being marked as Exhibits A, B, C and D, and the same are identified as follows:

No. A. Copy of Authority Sheet (PUC No. 8 & I) issued by the Colorado Public Utilities Commission to Red Ball Motor Freight, Inc.

No. B. List of Equipment owned and operated on system-wide basis by Red Ball Motor Freight, Inc.

No. C. List of equipment owned and operated in the State of Colorado by Red Ball Motor Freight, Inc.

No. D. Late filed exhibit consisting of a covering letter from the law firm of Jones, Meiklejjohn, Kilroy, Kehl & Lyons, and four pages listing the Colorado private or common carriers having the 20% rate restriction in their authorities.

In reference to Exhibit D, permission was given during the course of the hearing to Marion F. Jones, Attorney for certain of the Protestants, to file, as a late filed exhibit, a copy of all of the authority sheets issued by the Colorado Public Utilities Commission containing either the occasional service restriction and the twenty per cent (20%) penalty clause. Pursuant to such permission, the said Attorney filed a covering letter and four additional pages purporting to list thereon the Colorado private and common carriers who have the twenty per cent (20%) restriction in their authorities. This five page document has been marked as Exhibit No. D, and is hereby made part of the record in this proceeding. Also during the course of the proceeding, the Commission took official notice of the following certificates of public convenience and necessity issued by the Com-

mission to common carriers as designated:

PUC No. 2635 -	Boulder-Denver Truck Line
PUC No. 268 -	Southwestern Transportation Company
PUC No. 1026 -	South Park Motor Lines
PUC No. 257 &)-	Denver-Climax Truck Line
PUC No. 1195)	
PUC No. 655 -	Castle Rock Transfer
PUC No. 51 -	Denver-Laramie-Walden Truck Line
PUC No. 205 -	Denver-Loveland Transportation Co.
PUC No. 374 -	Northeastern Motor Freight
PUC No. 725 &)	
PUC No. 1685)-	Consolidated Freightways
PUC No. 701 -	Westway Motor Freight
PUC No. 2507 -	B. F. Walker, Inc.
PUC No. 4449 -	B & M Service, Inc.
PUC No. 414 -	Glen Blank, dba G & E Truck Line
PUC No. 416, No. 3171, No. 3537, No. 3538 and No. 3539 -	Goldstein Transportation and Storage, Inc.
PUC No. 523 -)	
PUC No. 5199)	Bethke Truck Lines
PUC No. 4350 -	Bulk Transporters, Incorporated

In the event of an appeal in this proceeding, the Secretary of the Commission is directed to furnish for the record a copy of the authority sheets pertaining to each of said certificates issued by the Complaint and Investigation Division of this Commission.

A total of fourteen witnesses were called and testified as witnesses for the Applicant, namely: Gilbert Perry, President of Englewood Transit Company; Howard I. DeLine, President of the E. F. DeLine Box Company; Carl H. Wetzel, Traffic Manager and Purchasing Agent for Burkhardt Steel Company; T. S. Kelly, General Manager of the Cherokee Water District, and Assistant to the President of the Cimarron Development Corporation; H. Edwin Hefner, an employee of Waterwork Sales Company; Robley Winfrey, Manager of Rocky Mountain Pre-Stress, Incorporated; Glen Killian, Plant Manager of Hill-Hubbell Company; Robert H. Sayre, Secretary-Treasurer of Roofing, Incorporated; Merl C. Grogan, Traffic and Sales Expeditor for H. W. Moore Equipment Company; Vernon Siebenlist, Manager of Purchasing and Traffic for Cobusco Steel Products; Charles Moon, owner and operator of Jeffco Steel Fabricators; Joel Meyer, Traffic and Sales Manager, Dreher Pickle Company; Ronald O. Scott, County Commissioner of Kiowa County; and Lisle R. Nord,

Traffic Manager of Denver Equipment Company.

A total of fourteen witnesses also testified as witnesses for the Protestants, namely: Melvin A. Chance, President and General Manager of Boulder-Denver Truck Line; Earl Berta, Secretary of Southwestern Transportation Company; Lois May Eshe, Partner in South Park Motor Lines and General Manager of Denver-Climax Truck Line; G. O. Anderson, Owner of Castle Rock Transfer; Ralph Kerzic, President and General Manager of Denver-Laramie-Walden Truck Line; Paul Amen, Vice-President of Denver-Loveland Transportation Company; Bob Haase, General Sales Manager for Northeastern Motor Freight; R. S. Gibson, District Manager of Consolidated Freightways, Bulk Commodities; Jerry McMorris, President of Westway Motor Freight; L. R. Rankin, Vice-President of the Tariff and Traffic Department of B. F. Walker, Inc.; Bennie Goldstein, of Goldstein Transportation & Storage, Inc.; Frederic A. Bethke, Owner and Operator of Bethke Truck Lines and President of Bulk Transporters, Incorporated; Jerry Stratman, Denver Terminal Manager for Red Ball Motor Freight, Inc.; and Ralph Knull, General Traffic Manager for Rio Grande Motor Way, Incorporated, and Larson Transportation Company.

In addition, a stipulation was entered into by counsel that had witnesses for Protestants, Ralph Kerzic, G. O. Anderson, Paul Amen, and Bob Haase testified in more detail, such additional testimony would have been similar to that given by specified other witnesses, all as more fully set out in the transcript. Counsel for the Applicant also stipulated that B & M Service, Inc., is providing service under PUC No. 4449, and Glen Blank, doing business as G & E Truck Line is providing service under PUC No. 414.

At the conclusion of the hearing, Applicant was given thirty days from May 22, 1964, in which to file an Opening Brief. Protestants were then given twenty additional days to file Answer Briefs, and Applicant was given an additional ten days in which to

file a Final Reply Brief. The time for filing of Briefs was extended on several occasions at the request of certain of the parties to the proceeding and the filing of Briefs was finally completed in November, 1964.

In addition to hearing the testimony and examining the exhibits at the time of the hearing, the Commission has since examined the transcript of the record in detail and re-examined all exhibits and the file herein. From such examination, it appears unnecessary to set forth in detail the testimony of each witness and the contents of each exhibit.

Englewood Transit Company is a corporation organized and existing under the laws of the State of Colorado. The correct legal name of such company as shown in said Articles is Englewood Transit Co. The Articles of Incorporation of such company were filed with the Colorado Secretary of State on April 27, 1962. The authorized capitalization of such company is $45,000, consisting of 45,000 shares of common stock, each of the par value of $1.00. On May 31, 1962, this Commission authorized the transfer of PUC No. 415 & I from the Englewood Transfer and Storage Company to Englewood Transit Company. During the calendar year of 1963, Englewood Transfer Co. had gross revenue in the amount of $159,154.44, total operating and maintenance expenses in the amount of $153,129.77, and a net operating profit prior to the payment of taxes in the amount of $6,024.67. The company has total assets, as of January 1, 1964, in the amount of $84,900.51, indebtedness in the amount of $74,968.74, and total capital and surplus in the amount of $9,931.77. The company actually owns 6 tractors and 4 trailers and leases such additional equipment as it may need from a second corporation, Truck Leasing, Incorporated, which company basically has the same stockholders as Applicant. The Commission in Decision No. 61272 (Exhibit No. 6) issued on August 28,1963, refused to permit Applicant to promulgate a proposed rate because of the 20% limitation contained in its operating authority.

The Commission in Decision No. 62637 (Exhibit No.7) issued on March 31, 1964, found that certain transportation services rendered by Applicant to the Cherokee Water District were beyond the scope of the "occasional" authority contained in PUC No. 415 & I. It would appear that these decisions were a factor in Applicant's decision to institute the present proceeding.

The record in the present proceeding contains no evidence as to the history of either the "occasional service" limitation or the 20% higher rate restriction. Such information would appear to be vital if the application herein, or either part thereof, were to be granted. In the instant proceeding, however, it becomes unnecessary to go into this matter because of the failure of Applicant to establish a case justifying any change in Applicant's present authority.

Thirteen shipper witnesses testified on behalf of the Applicant in the instant proceeding. Each of these witnesses either had a complaint as to the existing service offered by common carriers or in the alternative felt that Applicant might be able to render a more satisfactory service, or a more competitive service. The complaints voiced, however, were relatively minor and can be corrected by the present common carriers authorized to furnish the requisite transportation services. Generally speaking, the shipper witnesses testified that the existing common carrier service was adequate and satisfactory, and that their respective needs for transportation services were being met. In some cases, the shipper witnesses were simply not aware of the transportation services that were available from presently authorized common carriers to meet their transportation needs.

In a case where an Applicant seeks new common carrier authority, or seeks to extend existing common carrier authorities, the burden of proof is upon the Applicant to establish that public convenience and necessity requires the granting of the proposed auth-

ority. The Applicant must prove that there is a public need for the additional common carrier service which Applicant would propose to render. As part of such proof, the Applicant must establish that existing common carrier service is inadequate. It is clear from a thorough examination of the record that the Applicant has failed to sustain the burden of proof in this proceeding and that, therefore, the application must be denied. On the record before the Commission in this case, we cannot find that public convenience and necessity requires the granting of the additional common carrier authority sought herein by Applicant, nor can we find that the Applicant has established a public need for his proposed service, nor that existing service is inadequate.

On the other hand, the evidence introduced by Protestants herein generally established that the common carrier service rendered by said Protestants was adequate and that there is no public need for the granting of the additional authority sought herein by Applicant. In addition, the granting of such proposed authority would have a detrimental effect upon other common carriers presently operating in the State of Colorado under Commission authority in that it would deprive them of revenues which they now have or which they might have in the future.

The Commission specifically finds that public convenience and necessity does not require the granting of the extended authority which Applicant seeks herein.

Even though the application herein must be denied for simple lack of proof, the issues raised by the application, particularly the question of the 20% higher rate restriction, are a matter of concern to the Commission. For this reason, we are directing that an informal staff study be made on the general issues raised by the application to assist the Commission in making a future determination as to whether the Commission on its own initiative should enter into a

general investigation of these matters.

O R D E R

THE COMMISSION ORDERS:

That Application No. 20429-Extension 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

CHAIRMAN HENRY E. ZARLENGO NECESSARILY ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 2nd day of December, 1964.

et.

(Decision No. 64172)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE TEN PER CENT INCREASE)
IN PASSENGER FARES)
) Application No. 20858
)

December 1, 1964

S T A T E M E N T

BY THE COMMISSION:

On October 16, 1964, National Bus Traffic Association, Inc., Agent, Chicago, Illinois, acting for and on behalf of the following Colorado Motor Vehicle Common Carriers of passengers:

American Buslines, Inc.
Colorado Motorway, Inc.
Colorado Springs-Limon Transportation Company
Continental Bus System, Inc.
  Continental Rocky Mountain Lines Division
Denver-Boulder Bus Company
Denver-Colorado Springs-Pueblo Motor Way, Inc.
Denver-Salt Lake-Pacific Stages, Inc.
Greyhound Lines, Inc. (Central Greyhound Lines Division)
Laramie-Walden Bus Line (Dudley H. Howery, d/b/a)
Transcontinental Bus System, Inc.
  Continental Central Lines Division
  Continental Western Lines Division
Valley Transit Lines, Inc.

filed its application No. 40, dated October 14, 1964, petitioning the Commission for authority to effect a general increase of ten (10%) per cent in Colorado Intrastate Passenger Fares, adjusted to the next higher "0" or "5", to become effective on Statutory Notice of thirty (30) days, to be published either in new or amended tariffs on a specific "point-to-point" basis, or by use of a Master Conversion Table Tariff and Connecting Link Supplement.

Petitioner based its request for the proposed general increase upon the following:

(a) "Carriers, whom Petitioner represents, have been and are confronted with substantial increases in cost of operation since the last general increase in Colorado Intrastate Passenger Fares, which became effective April 24, 1961, under authority of Decision No. 56237, in Application No. 18240, dated April 10, 1961.

(b) "Carriers, whom Petitioner represents, believe that it is in the public interest that they be permitted to effect this increase in fares at the earliest possible date, because the additional revenues to be derived from such increase should make it possible for the Carriers to continue to provide adequate, efficient and compensatory regularly scheduled service for the travelling public in the State of Colorado and to meet the further increase in the cost of operations anticipated during the coming year.

(c) "In an effort to offset increased operating costs, Carriers, whom Petitioner represents, are preparing Tariffs to effect an increase in their Interstate Passenger fares of ten (10%) percent to be effective at the earliest possible date. Applications for increases, of ten (10%) percent in intrastate fares in other States in which these Carriers operate, have been filed.

Petitioner further states that, --

(d) "If, in the considered opinion of your Honorable Commission, the authority requested herein cannot be granted without Public Hearing, the Carriers will appreciate it if the matter could be heard and considered at the earliest possible date, in order that the increased fares, if authorized, can be made effective without undue delay. The Carriers are in a position to present necessary Exhibits in support and justification of the requested authority, either at an Informal Conference or at a Public Hearing.

(e) "If the authority to effect this increase in fares by application of a Master Conversion Table Tariff through Connecting Link Supplements is authorized, your Petitioner and the Carriers will immediately thereafter proceed to revise or reissue all of the affected Passenger Tariffs to publish specific "point-to-point" fares and eliminate the application of the Master Table Tariff.

(f) "The granting of this Application will be in the public interest, in that it will enable Carriers, whom Petitioner represents, to obtain additional, needed revenues to insure continued, adequate, regular route passenger service between points in the State of Colorado, at compensatory and reasonable fares."

F I N D I N G S

The Commission finds that this application should be assigned for a public hearing whereby all concerned may be given an opportunity to inquire into the justness, reasonableness and sufficiency of the proposed increase.

O R D E R

THE COMMISSION ORDERS, That:

1. Application No. 20858 (Applicant's No. 40) be and the same is hereby assigned for a public hearing commencing on Decision 22, 1964, at 10:00 o'clock a.m., in the Hearing Room of the Commission, 532 State Services Building, 1525 Sherman Street, Denver, Colorado, 80203, for the taking of evidence and testimony pertaining to said application.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Commissioner Henry E. Zarlengo necessarily absent and not participating.

Dated at Denver, Coloado, this
1st day of December, 1964.

v

(Decision No. 64173)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE REDUCED RATES, CONCRETE REINFORCED PIPE, ETC., BETWEEN POINTS WITHIN A 100-MILE RADIUS OF DENVER, COLORADO, ETC.	Investigation and Suspension Docket No. 537

December 1, 1964

STATEMENT AND FINDINGS

BY THE COMMISSION:

By decision No. 63586, dated August 27, 1964, the operation of respondent, Viking Logging and Construction Company d/b/a Statewide Trucking Company, supplement No. 1 to its schedule of Minimum Rates, No. 1, Colorado PUC No. 2, providing new and reduced truckload rates for the transportation of concrete reinforced pipe, including steel pipe with and without concrete lining, and coated with concrete, or tar and asphalt base materials, between points within a 100-mile radius of Denver and a 20-mile radius thereof, over irregular routes, scheduled to become effective on August 28, 1964, was suspended and the use thereof deferred to and including December 26, 1964, unless otherwise ordered.

John R. Barry, Esq., for and on behalf of respondent, advised the Commission by letter, dated October 22, 1964, that the suspended schedule was withdrawn. Upon consideration of said letter, we find that the respondent should be permitted to withdraw the suspended matter and that the proceeding should be 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 respondent, Viking Logging and Construction Company, d/b/a Statewide Trucking Company, is hereby notified and required to cancel

Supplement No. 1 to its schedule of Minimum Rates No. 1, Colorado PUC No. 2, on or before December 28, 1964, upon notice to the Commission and the general public by not less than one (1) day's filing and posting in the manner prescribed by law and the rules and regulations of the Commission, and that this proceeding be discontinued.

3. This order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Commissioner Henry E. Zarlengo necessarily absent and not participating.

Dated at Denver, Colorado this
1st day of December, 1964.

av

(Decision No. 64174)

IN THE MATTER OF THE APPLICATION OF WESTERN SLOPE GAS COMPANY, 550 15TH STREET, DENVER, COLORADO, FOR AN ORDER AUTHORIZING THE ISSUANCE OF SECURITIES TO CONSUMMATE AN AGREEMENT AND PLAN OF MERGER OF COLORADO-WYOMING GAS COMPANY INTO WESTERN SLOPE GAS COMPANY.

APPLICATION NO. 20874
Securities

STATEMENT

By the Commission:

Upon consideration of the application filed November 30, 1964, by Western Slope Gas Company, a corporation, in the above styled matter:

ORDER

THE COMMISSION ORDERS:

That a public hearing be held, commencing on December 17, 1964, at 10:00 o'clock A. M., 532 State Services Building, Denver, Colorado, respecting matters involved and issues presented in the proceeding. Any 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 11, 1964, 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

CHAIRMAN HENRY E. ZARLENGO
NECESSARILY ABSENT AND NOT
PARTICIPATING

Dated at Denver, Colorado,
this 2nd day of December, 1964.

original

(Decision No. 64175)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF ROY E. WRIGHT, BOX 451, LIMON, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 20463-PP
SUPPLEMENTAL ORDER

December 4, 1964

Appearances: Roy E. Wright, Limon, Colorado, pro se;
William Potts, Denver, Colorado, for Union Pacific Railroad Company.

STATEMENT AND FINDINGS OF FACT

By the Commission:

On August 4, 1964, the Commission entered Decision No. 63450 in the above-styled application, granting to Applicant herein the right to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of:

> freight moving upon rail billings and having a prior or subsequent movement by rail, to and from the depots of Union Pacific Railroad Company and the Chicago, Rock Island and Pacific Railroad Company, to and from points within a radius of ten miles of Limon, Colorado.

Subsequently, on November 5, 1964, the Commission -- on the basis of failure to file proper tariffs -- entered Decision No. 63995 revoking the operating authority as previously granted to the Applicant herein by Decision No. 63450.

The Commission is now in receipt of a communication from Applicant requesting the following: (1) reinstatement of the operating authority granted by Decision No. 63450; (2) elimination of certain authority granted to operate within a radius of ten miles of

Limon, Colorado, and (3) exemption from complying with certain Rules and Regulations of this Commission pertaining to the type of motor vehicle operation as authorized by said Decision No. 63450.

The Commission states and finds that the above-stated requests of the Applicant should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 63995, of date November 5, 1964, be, and the same hereby is, vacated, set aside and held for naught.

That the operating authority as granted to the Applicant herein by Decision No. 63450, of date August 4, 1964, be, and the same is hereby, restored to active status.

That the operating authority as previously granted to the Applicant herein by said Decision No. 63450 be, and the same is hereby amended and restricted, as requested by the Applicant herein, in the following manner, to-wit:

> transportation of freight moving upon rail billings and having a prior or subsequent movement by rail, to and from the depots of Union Pacific Railroad Company and the Chicago, Rock Island and Pacific Railroad Company, from and to points within the City Limits of Limon, Colorado."

That Applicant herein need not comply, and is hereby expressly relieved from complying with the following rules or portions thereof of the "Rules and Regulations Governing Private Carriers by Motor Vehicle" as adopted by the Commission in Decision No. 54133, Case No. 5177:

"1. Rule 3(g), requiring the submission of a copy of authority from the Interstate Commerce Commission to operate in interstate commerce.

"2. Rule 5(b), insofar as it would prohibit the Applicant from transporting or accepting for transportation any shipment to be delivered to Chicago, Rock Island and Pacific Railroad Company, at Limon, Colorado.

"3. Rule 6(d), pertaining to the establishment of financial standing and qualifications of a proposed transferee of the permit.

"4. Rule 15(3), pertaining to cargo insurance.

"5. Rule 18, pertaining to contracts and customer lists.

"6. Rule 19, pertaining to rates and charges.

"7. Rule 20, pertaining to the filing of tariffs.

"8. Rule 21, pertaining to compilation of tariffs and classifications.

"9. Rule 22, pertaining to bills of lading.

"10. Rule 23, pertaining to load sheets and manifests.

"11. Rule 25, pertaining to C.O.D. shipments."

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

That the right of Applicant to operate hereunder shall depend upon his compliance with all present and future laws and regulations of the Commission, except as specifically exempted, supra.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

CHAIRMAN HENRY E. ZARLENGO NECESSARILY ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 4th day of December, 1964.
mls

original

(Decision No. 64176)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF WILLIAM C. GOTTE, CANON CITY, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 20740-PP
SUPPLEMENTAL ORDER

December 4, 1964

Appearances: Peter J. Crouse, Esq., Denver, Colorado, for Applicant;

STATEMENT AND FINDINGS OF FACT

By the Commission:

On November 9, 1964, the Commission entered Decision No. 64015 in the above-styled application, granting certain authority to the Applicant herein to operate as a Class "B" private carrier by motor vehicle for hire.

On November 25, 1964, a "Petition for Rehearing" was filed with the Commission by the Attorney for Applicant herein. Said petition in substance generally requested that said Decision No. 64015 -- as previously entered -- be amended so as to exempt said Applicant from complying with certain and specific Commission Rules and Regulations which govern the operation of private carriers by motor vehicle for hire.

The Commission states and finds that said Decision No. 64015 -- as previously entered -- should be amended as set forth in the Order following; and that the Petition for Rehearing as filed should be denied.

O R D E R

THE COMMISSION ORDERS:

That the Petition for Rehearing as filed herein by the

Attorney for Applicant, on November 25, 1964, be, and the same is hereby, denied.

That said Decision No. 64015, of date November 25, 1964, be, and the same is hereby, amended, nunc pro tunc, as of said 25th day of November, 1964, by inserting on page 3, immediately preceding the last paragraph of the Order therein contained, the following matter, to-wit:

> "That Applicant is hereby expressly relieved from complying with the following rules or portions thereof of the 'Rules and Regulations Governing Private Carriers by Motor Vehicle for Hire' as adopted by the Commission in Decision No. 54133, Case No. 5177:
>
> "Rule 3(g), requiring submission of a copy of authority from the Interstate Commerce Commission to operate in interstate commerce.
>
> "Rule 5(b), insofar as it would prohibit Applicant from transporting or accepting for transportation any shipment to be delivered to The Atchison, Topeka and Santa Fe Railway Company at Canon City, Colorado.
>
> "Rule 6(d), pertaining to the establishment of financial standing and qualifications of a proposed transferee of the permit.
>
> "Rule 15(3), pertaining to cargo insurance.
>
> "Rule 18, pertaining to contracts and customer lists..
>
> "Rule 19, pertaining to rates and charges.
>
> "Rule 20, pertaining to the filing of tariffs.
>
> "Rule 21, pertaining to compilation of tariffs and classifications.
>
> "Rule 22, pertaining to bills of lading.
>
> "Rule 23, pertaining to load sheets and manifests.
>
> "Rule 25, pertaining to C.O.D. shipments."

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amend-

ments to this permit deemed advisable.

That the right of Applicant to operate hereunder shall depend upon his compliance with all present and future laws and regulations of the Commission, except as specifically exempted, supra.

That, except as herein amended, Decision No. 64015 shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

CHAIRMAN HENRY E. ZARLENGO NECESSARILY
ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 4th day of December, 1964.

mls

(Decision No. 64177)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO FOR AN ORDER AUTHORIZING THE PURCHASE OF THE GAS DISTRIBUTION SYSTEM AND RELATED FACILITIES OF THE VALLEY UTILITIES COMPANY IN THE CITY OF ALAMOSA, ALAMOSA COUNTY, COLORADO; FOR A CERTIFICATE OF CONVENIENCE AND NECESSITY TO EXERCISE FRANCHISE RIGHTS TO PURCHASE, MANUFACTURE, TRANSMIT, DISTRIBUTE AND SELL GAS, EITHER NATURAL, ARTIFICIAL OR MIXED, IN SAID CITY OF ALAMOSA, AND TO DISTRIBUTE AND SELL NATURAL GAS IN THE AREA ADJACENT TO SAID CITY AND ALONG THE GAS TRANSMISSION LINE TO BE CONSTRUCTED TO SAID CITY.

APPLICATION NO. 18593
SUPPLEMENTAL ORDER

December 4, 1964

Appearances: Lee, Bryans, Kelly & Stansfield, Esqs., by E. A. Stansfield, 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:

By Decision No. 56854 of July 20, 1961, in Application No. 18593, the Commission approved the purchase by the Public Service Company of Colorado of the gas distribution system and related facilities of the Valley Utilities Company in the City of Alamosa, Colorado. As part of the order in the above matter, Public Service was required to submit to the Commission for approval within one hundred twenty (120) days after the consummation of the aforesaid acquisition of the facilities, the proposed entries to be made on its books to reflect such acquisition, the date such acquisition

was effected and the final acquisition cost of said facilities.

On November 30, 1961 Public Service petitioned the Commission for an extension of time within which to submit proposed entries to be made on applicant's books to reflect the acquisition of facilities of Valley Utilities Company located in Alamosa, Colorado. Such petition was granted and the time was extended to January 31, 1962, Decision No . 57635, Application No. 18593-Supplemental Order.

On January 23, 1962 Public Service did file with the Commission the final purchase price and total payment to Valley Utilities for its properties plus current liabilities and customer deposits less accounts receivable and cash on hand. It also reported the estimated original cost of the property, the estimated accumulated depreciation and the resulting plant acquisition adjustment amount. Journal entries reflecting these transactions were also presented.

Upon the filing of the Application No. 18593, June 29, 1961, the Public Utilities Commission's accounting staff proceeded to investigate the books and records of the Valley Utilities Company with the view of checking the plant and depreciation reserve accounts as reported to the Public Utilities Commission in Valley's annual reports. The investigation showed a certain degree of inadequacy of the accounts, whereupon the Commission's engineering staff proceeded to investigate the procedures and methods by which Public Service had arrived at the estimated original costs of the plant and depreciation reserve. The staff's studies concluded that the estimates by Public Service were not unreasonable and therefore the staff recommended to the Commission that these estimates be accepted and that Public Service be permitted to book such estimates of the acquisition of the properties of Valley Utilities Company.

Case No. 4693, instituted by the Commission in 1938 has to do with the original cost of Class A and B electric and gas

Utilities operating in Colorado under Commission jurisdiction. By Decision No. 41682 of December 9, 1953, the Commission approved the original cost of the Public Service Company of Colorado as of December 31, 1938. All additions and retirements since 1938 were required to be in accordance with the Uniform System of Accounts and therefore the books of the Company reflect original cost. By Decision No. 41682, the Commission prescribed a method for the handling of Acquisition Adjustment cost for acquired properties from non-affiliated owners. The Public Service Company in proposing the hournal entries for the Valley Utilities Company property has followed the same accounting procedure as prescribed by the Commission in its previous order.

Inasmuch as the Company is following the mandate of this Commission as a result of a prior hearing, we see no need at this time to set this matter of the original cost of the Valley Utilities Company properties for hearing. Accordingly, we will issue an order in this matter based upon the filing of acquisition figures by Public Service Company, January 23, 1962.

F I N D I N G S

THE COMMISSION FINDS:

That the Commission has jurisdiction of the Public Service Company of Colorado, and of the subject matter herein.

That the Commission is fully advised in the premises.

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

That the Public Service Company of Colorado should be permitted to book the accounting entries set forth in our order following, reflecting the purchase by said Company of the Valley Utilities Company.

That the amount shown charged to Account 114, Utility Plant Acquisition Adjustments, be permitted to be amortized over

a fifteen year period beginning January 1962. Monthly credits to Account No. 114 amounting to 1/180th each of the total amount should be charged to Account No. 406, Amortization of Utility Plant Acquisition Adjustments.

O R D E R

THE COMMISSION ORDERS:

That the Public Service Company of Colorado be, and it hereby is, authorized to book journal entries set out below to reflect the purchase of the Valley Utilities Company.

Account Number	Account Name	Debits	Credits
Cost of Acquisition			
102	Utility Plant Purchased or Sold	$172,352.14	
131	Cash		$172,352.14
Original Cost			
101	Utility Plant in Service	75,918.36	
102	Utility Plant Purchased or Sold		75,918.36
Depreciation			
102	Utility Plant Purchased or Sold	13,316.57	
108	Reserve for Depreciation		13,316.57
Acquisition Adjustment			
114	Utility Plant Acquisition Adjustments	109,750.35	
102	Utility Plant Purchased or Sold		109,750.35

That the amount shown charged to 114, Utility Plant Acquisition Adjustments, be amortized over a fifteen year period beginning January 1962 by monthly credits to Account No. 114 amounting to 1/180th each of the total amount of $109,750.35 and a debit to Account No.406, Amortization of Utility Plant Acquisition Adjustments in the same amount.

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

That a copy of this Order be filed in Application No. 18593, in the matter of the purchase by Public Service Company of Colorado of the gas distribution system of the Valley Utilities Company.

That jurisdiction of this matter be, and it hereby is re-

tained to the end that the Commission may make such Order or Orders in the premises as it may deem to be proper and desirable.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

CHAIRMAN HENRY E. ZARLENGO
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 4th day of December, 1964.

et.

(Decision No.64178)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO, 550 FIFTEENTH STREET, DENVER, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY, AUTHORIZING THE PURCHASE OF THE GAS DISTRIBUTION SYSTEM AND RELATED FACILITIES OF RIO GRANDE GAS COMPANY, IN THE CITY OF MONTE VISTA, RIO GRANDE COUNTY, COLORADO; THE PURCHASE, MANUFACTURE, TRANSMISSION, DISTRIBUTION AND SALE OF GAS, EITHER NATURAL, ARTIFICIAL OR MIXED, IN SAID CITY AND IN THE AREA ADJACENT THERETO AND ALONG THE GAS TRANSMISSION LINE TO BE CONSTRUCTED TO SAID CITY: AND FOR A PRELIMINARY ORDER AUTHORIZING THE EXERCISE OF FRANCHISE RIGHTS TO BE ACQUIRED IN SAID CITY.

APPLICATION NO. 18594
SUPPLEMENTAL ORDER

December 4, 1964

Appearances: Lee, Bryans, Kelly & Stansfield, Esqs., by E. A. Stansfield, 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:

By Decision No. 56862 of July 20, 1961, in Application No. 18594, the Commission approved the purchase by the Public Service Company of Colorado of the gas distribution system and related facilities of the Rio Grande Gas Company in the City of Monte Vista, Colorado. As part of the order in the above matter, Public Service was required to submit to the Commission for approval within one hundred twenty (120) days after the consummation of the aforesaid acquisition of the facilities, the proposed entries to be made on

its books to reflect such acquisition, the date such acquisition was effected and the final acquisition cost of said facilities.

On November 30, 1961 Public Service petitioned the Commission for an extension of time within which to submit proposed entries to be made on applicant's books to reflect the acquisition of facilities of Rio Grande Gas Company located in Monte Vista, Colorado. Such petition was granted and the time was extended to January 31, 1962, Decision No. 57636, Application No. 18594-Supplemental Order.

On January 23,1962 Public Service did file with the Commission the final purchase price and total payment to Rio Grande Gas Company for its properties plus current liabilities and customer deposits less accounts receivable and cash on hand. It also reported the estimated original cost of the property, the estimated accumulated depreciation and the resulting plant acquisition adjustment amount. Journal entries reflecting these transactions were also presented.

Upon the filing of the Application No. 18594, June 29, 1961, the Public Utilities Commission's accounting staff proceeded to investigate the books and records of the Rio Grande Gas Company with the view of checking the plant and depreciation reserve accounts as reported to the Public Utilities Commission in Rio Grande's annual reports. The investigation showed a certain degree of inadequacy of the accounts, whereupon the Commission's engineering staff proceeded to investigate the procedures and methods by which Public Service had arrived at the estimated original costs of the plant and depreciation reserve. The staff's studies concluded that the estimates by Public Service were not unreasonable and therefore the staff recommended to the Commission that these estimates be accepted and that Public Service be permitted to book such estimates of the acquisition of the properties of Rio Grande Gas Company.

Case No. 4693, instituted by the Commission in 1938 has to do with the original cost of Class A and B electric and gas

utilities operating in Colorado under Commission jurisdiction. By Decision No. 41682 of December 9, 1953, the Commission approved the original cost of the Public Service Company of Colorado as of December 31, 1938. All additions and retirements since 1938 were required to be in accordance with the Uniform System of Accounts and therefore the books of the Company reflect original cost. By Decision No. 41682, the Commission prescribed a method for the handling of Acquisition Adjustment cost for acquired properties from non-affiliated owners. The Public Service Company in proposing the journal entries for the Rio Grande Gas Company property has followed the same accounting procedure as prescribed by the Commission in its previous order.

Inasmuch as the Company is following the mandate of this Commission as a result of a prior hearing, we see no need at this time to set this matter of the original cost of the Rio Grande Gas Company properties for hearing. Accordingly, we will issue an order in this matter based upon the filing of acquisition figures by Public Service Company, January 23, 1962.

F I N D I N G S

THE COMMISSION FINDS:

That the Commission has jurisdiction of the Public Service Company of Colorado, and of the subject matter herein.

That the Commission is fully advised in the premises.

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

That the Public Service Company of Colorado should be permitted to book the accounting entries set forth in our order following, reflecting the purchase by said Company of the Rio Grande Gas Company.

That the amount shown charged to Account 114, Utility Plant Acquisition Adjustments, be permitted to be amortized over a fifteen year period beginning January 1962. Monthly credits to Account No. 114 amounting to 1/180th each of the total amount should be charged

to Account No. 406, Amortization of Utility Plant Acquisition Ajustments.

O R D E R

THE COMMISSION ORDERS:

That the Public Service Company of Colorado be, and it hereby is, authorized to book journal entries set out below to reflect the purchase of the Rio Grande Gas Company.

Account Number	Account Name	Debits	Credits
Cost of Acquisition			
102	Utility Plant Purchased or Sold	$158,932.60	
131	Cash		$158,932.60
Original Cost			
101	Utility Plant in Service	63,165.87	
102	Utility Plant Purchased or Sold		63,165.87
Depreciation			
102	Utility Plant Purchased or Sold	18,178.65	
108	Reserve for Depreciation		18,178.65
Acquisition Adjustment			
114	Utility Plant Acquisition Adjustments	113,945.38	
102	Utility Plant Purchased or Sold		113,945.38

That the amount shown charged to 114, Utility Plant Acquisition Adjustments, be amortized over a fifteen year period beginning January 1962 by monthly credits to Account No. 114 amounting to 1/180th each of the total amount of $113,945.38 and a debit to Account No. 406, Amortization of Utility Plant Acquisition Adjustments in the same amount.

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

That a copy of this Order be filed in Application No. 18594, in the matter of the purchase by Public Service Company of Colorado of the gas distribution system of the Rio Grande Gas Company.

That jurisdiction of this matter be, and it hereby is, retained to the end that the Commission may make such Order or Orders in the premises as it may deem to be proper and desirable.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

CHAIRMAN HENRY E. ZARLENGO
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 4th day of December, 1964.

Original

(Decision No. 64179)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE PROPOSED DISCONTINUANCE OF OPERATION OF TRAINS NOS. 1 AND 2 BETWEEN DENVER, COLORADO, AND GRAND JUNCTION, COLORADO, BY THE DENVER AND RIO GRANDE WESTERN RAILROAD COMPANY.	)	INVESTIGATION & SUSPENSION DOCKET NO. 536

December 4, 1964

Appearances: T. A. White, Esq., Denver, Colorado, and Ernest Porter, Esq., Denver, Colorado, for Applicant;
Brian H. Goral, Esq., Denver, Colorado, and Max P. Zall, Esq., Denver, Colorado, for the City of Denver;
Herbert M. Boyle, Esq., Denver, Colorado,
Richard D. Dittemore, Esq., Littleton, Colorado,
Gordon D. Hinds, Esq., Pueblo, Colorado,
Roger Breyfogle, Esq., Canon City, Colorado,
Donald Meyers, Esq., Salida, Colorado,
Charles Casey, Esq., Leadville, Colorado,
Eugene D. Lorig, Esq., Eagle, Colorado,
Robert Delaney, Esq., Glenwood Springs, Colorado, and Atha Mason, Esq., Rifle, Colorado, for Protestants;
Byron E. Cowart, Colorado Springs, Colorado, for the City of Colorado Springs;
Ford Strong, Grand Junction, Colorado, for Grand Junction Chamber of Commerce, City of Grand Junction;
Robert N. Trunk, Esq., Denver, Colorado, for the Staff of the Commission.

S T A T E M E N T

By the Commission:

On November 5, 1964, the Commission entered its Decision No. 64001, in the above-styled matter.

On November 24, 1964, "Petition for Rehearing and Reconsideration" was filed by Herbert M. Boyle, Attorney for Protestants.

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

F I N D I N G S

THE COMMISSION FINDS:

That Petition for Rehearing and Reconsideration filed herein should be denied.

O R D E R

THE COMMISSION ORDERS:

That Petition for Rehearing and Reconsideration in the above-styled matter, filed by Herbert M. Boyle, Attorney for Protestants, be, and the same hereby is, denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

CHAIRMAN HENRY E. ZARLENGO NECESSARILY ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 4th day of December, 1964.
mls

orig copy

(Decision No. 64180)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
EARL BROWN DBA)
SURPLUS STORE)
420 State Avenue)
Alamosa, Colorado 81101)
)

AUTHORITY NO. M 10875

CASE NO. 18051 Ins.

December 7, 1964

S T A T E M E N T

By the Commission:

On December 3, 1964, 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

Henry E. Zarlengo

Howard S. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 7th day of December, 1964

(Decision No. 64181)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF SAN ISABEL ELECTRIC ASSOCIATION, INC., 316 WEST FIFTEENTH STREET, PUEBLO, COLORADO, A COLORADO CORPORATION, FOR AN ORDER AUTHORIZING IT TO ENTER INTO AN AMENDING LOAN CONTRACT WITH THE UNITED STATES OF AMERICA AND TO EXECUTE A NOTE TO SECURE A LOAN FROM THE RURAL ELECTRIFICATION ADMINISTRATION IN THE SUM OF $577,000.	APPLICATION NO. 20841-Securities

December 7, 1964

Appearances: Leo S. Altman, Esq., Pueblo, 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, filed November 18, 1964, San Isabel Electric Association, Inc., (San Isabel) seeks authority from this Commission to issue a mortgage note in the principal amount of $577,000, payable to the United States of America, bearing interest at the rate of two per cent (2%) per annum and payable within thirty-five (35) years after date thereof, a supplemental mortgage to secure such note, and approval of an amendment, dated as of October 7, 1964, to amending loan contract, dated as of April 25, 1957, between San Isabel Electric Association, Inc., and United States of America, setting a maximum which may be borrowed by the applicant at $5,971,741.

The matter was set for hearing after due notice to all interested parties on December 3, 1964, at 10:00 o'clock A. M., in the

Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, and was there 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 engaged in the business of purchasing, acquiring, accumulating, transmitting, distributing, furnishing and selling electricity to its members and non-member consumers on its lines in the Counties of Pueblo, Custer, Huerfano, Otero, Fremont, and Las Animas, in the State of Colorado. The number of consumers October 31, 1964, totaled 4,856. By applicant's Decision and Order No. 49032, Application No. 15758, San Isabel was granted by this Commission full certificate of its service territory as set forth therein.

Applicant's witnesses testified summarily as follows: San Isabel needs additional funds for improvements in its system and for the construction, completion, extension and improvement of its properties and for the improvement and maintenance of its service, and for other lawful purposes. To obtain these additional funds, San Isabel has entered into an amending loan contract with the United States of America, Exhibit No. 1, entered into evidence in this proceeding. In compliance with this amending loan contract the United States of America proposes to loan San Isabel $577,000, to be evidenced by a mortgage note in such principal amount, Exhibit No. 2, secured by a supplemental mortgage, Exhibit No. 3 herein.

The amendment to the amending loan contract referred to above provides among other things that "The Borrower covenants and agrees that it will not, without the approval of the Administrator, submit a requisition for the advance of any funds on account of the Loan, nor use any funds advanced on account of the Loan to reimburse its general funds, at any time or times when the amount of its general funds either exceeds

twenty percent of its total plant, or would exceed twenty percent of its total plant as a result of the intended use of such advance to reimburse its general funds.", and that "In the event that the operating report of the Borrower fails to show a margin for the twelve month period ending December 31, 1965, equal to at least 1% of the Borrower's gross annual revenue, the Government shall not be obligated to make any advances on account of the Loan to the Borrower after December 31, 1965, unless the Borrower increases the retail rates to its consumers to an extent and in a manner satisfactory to the Administrator, and obtains the approval of the Public Utilities Commission of the State of Colorado for such increases."

San Isabel proposes to use the $577,000 for the construction and installation of the following electric facilities:

60.3 miles of distribution lines to serve 191 customers	$119,320
Tie-Line construction	1,660
Conversion and Line Changes	148,435
1500 kva 44 to 7.2/12.5 kv substation at Weston	46,000
Increase substation capacity at El Moro, Earl, LaVeta and Crow, Colorado	58,950
342 Transformers and 291 Meters to serve new and existing consumers	174,675
Engineering	27,960
Total	$577,000

Certain facilities enumerated above have already been installed by San Isabel and paid for out of general funds. It is anticipated that this budgeted construction will be completed and paid for within the coming year.

The financial statements introduced into evidence, Exhibits No. 7 and No. 9, shows that long term debt October 31, 1964, stands at $5,059,990 after unapplied payments in the amount of $2,105. Total equities in margins show a deficit position of $167,994. Temporary investments and restricted funds, including $65,000 of general cash, amounted to $242,405. This amount of reserve funds in considered to be inadequate for contingencies and emergencies which may be experienced

by San Isabel. These reserve funds should be approximately double this amount.

The earnings of San Isabel are improving and it is expected that the patronage capital and margins for the year 1964 will result in a loss of about $20,000.. Actual loss at October 31, 1964, amounted to $24,085. To support San Isabel's ability to service its loan including this borrowing of $577,000, Exhibit No. 6 was introduced, which is a financial forecast of revenues, expenses and net margins for the years 1964 to 1973, inclusive. This forecast shows that after the year 1964 San Isabel will be operating so that revenues will exceed all expenses and interest and provide sufficient cash to meet repayment of debt requirements. This forecast of revenues is based upon the estimated load studies prepared by engineers of San Isabel and those of the Rural Electrification Administration. Power costs and other expenses were estimated by San Isabel's staff taking into account anticipated reduction in purchased power rates, salary increases and other anticipated changes in the expenses, interest and debt repayment.

The cost of purchased power is based upon the assumption that such power will be obtained from Colorado-Ute Electric Association, Inc., through the Arkansas Valley Generation and Transmission, Inc., some time in the year 1965, when the Hayden power plant, now under construction, goes on the line. The savings in purchased power for one year will amount to approximately $35,000. This reduction in cost is the result of an anticipated one mill reduction to about seven and one-half mills cost of purchased power.

F I N D I N G S

THE COMMISSION FINDS:

That applicant, San Isabel Electric Association, Inc., is a public utility as defined by Section 115-1-3, Colorado Revised Statutes, 1953.

That this Commission has jurisdiction over said applicant and the subject matter of this application.

That this 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 issuance by San Isabel Electric Association, Inc., of a mortgage note in the amount of $577,000, Exhibit No. 2 herein, in this proceeding, should be authorized and approved.

That the amending loan contract between San Isabel Electric Association, Inc., and the United States of America, dated as October 7, 1964, Exhibit No. 1 herein, should be authorized and approved.

That the supplemental mortgage made by San Isabel Electric Association, Inc., Exhibit No. 3 herein, should be authorized and approved.

That within one hundred twenty (120) days of the execution of the mortgage note for $577,000 authorized herein, applicant should file with the Commission one conformed copy of such executed note and of each other document made in connection therewith.

That the issuance of the mortgage note in the amount of $577,000 is not inconsistent with the public interest and the purpose, or purposes thereof are permitted by and are consistent with the provisions of Chapter 115, Colorado Revised Statutes, 1953.

O R D E R

THE COMMISSION ORDERS:

That the issuance of a mortgage note for $577,000 by San Isabel Electric Association, Inc., to the United States of America, Exhibit No. 2 herein, be, and the same is hereby, authorized and approved.

That the Amending Loan Contract between San Isabel Electric Association, Inc., and the United States of America, dated as of October 7, 1964, Exhibit No. 1 herein, be, and the same is hereby, au-

thorized and approved.

That the supplemental mortgage made by San Isabel Electric Association, Inc., Exhibit No. 3 herein, be, and the same is hereby, authorized and approved.

That within one hundred twenty (120) days of the execution of the mortgage note for $577,000 authorized herein, San Isabel Electric Association, Inc., shall file with the Commission one conformed copy of such executed note and of each other document made in connection therewith.

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

That the Commission maintains jurisdiction of these proceedings to the end that it may make such further Order or Orders in the premises as to it may seem 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

Commissioners.

CHAIRMAN HENRY E. ZARLENGO NECESSARILY
ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 7th day of December, 1964.

mls

SUSPENSION ORDER--COMMON CARRIER (Decision No. 64182)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF RICHARD CAR-SKADEN, DOING BUSINESS AS, "SNOWMASS WILDERNESS GUIDE SERVICE", ASPEN, COLORADO.

PUC NO. 4052

December 10, 1964

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. 4052 be further suspended for six months from December 2, 1964.

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 Richard Car-Skraden, doing business as, "Snowmass Wilderness Guide Service, Aspen, Colorado be, and is hereby, authorized to further suspend operations under PUC No. 4052 until June 2, 1965.

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

Henry E. Zarlengo
Harold D. Bjelland
Ruth C. Horton
Commissioners

Dated at Denver, Colorado,
this 10th day of December, 19 64.

hc

(Decision No. 64183)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF ROLAND MONTBRAND, 1204 CHILDERS DRIVE, N.E., ALBUQUERQUE, NEW MEXICO.	PUC NO. 5918-I

December 10, 1964

By the Commission:

On May 25, 1964, the Commission authorized Roland Montbrand to suspend operations under his PUC No. 5918-I, until November 23, 1964.

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. 5918-I, should be, and the same hereby is, reinstated as of November 23, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Harold D. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 10th day of December, 1964.

hc

(Decision No. 64184)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
LOIS E. ELLEDGE AND ROBERT W. ELLEDGE,)
DOING BUSINESS AS, "ELLEDGE ENTER-)
PRISES", P. O. BOX 62, GRANBY, COLO-) PERMIT NO. M-436
RADO.)

December 10, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Lois E. Elledge & Robert W. Elledge, doing business as, "Elledge Enterprises", Granby, Colorado requesting that Permit No. M-436 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-436, heretofore issued to Lois E. Elledge & Robert W. Elledge, doing business as, "Elledge Enterprises", Granby, Colorado be, and the same is hereby, declared cancelled effective October 27, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard S. Bjelland

Ralph C. Hanson

Commissioners

Dated at Denver, Colorado,

this 10th day of December, 19 64.

hc

(Decision No. 64185)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
C. H. SELCH, DOING BUSINESS AS, "SELCH DAIRY", STEAMBOAT SPRINGS, COLORADO.) PERMIT NO. M-10659

December 10, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from C. H. Selch, doing business as, "Selch Dairy", Steamboat Springs, Colorado requesting that Permit No. M-10659 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10659, heretofore issued to C. H. Selch, doing business as "Selch Dairy", Steamboat Springs, Colorado be, and the same is hereby, declared cancelled effective November 22, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard S. Bjelland
Ralph L. Carlson
Commissioners

Dated at Denver, Colorado,
this 10th day of December, 19 64.

hc

(Decision No. 64186)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
K. M. BROMLEY, DOING BUSINESS AS,)
"K AND R SALES AND SERVICE", ROUTE 2)
BOX 3 B, HIGHWAY 7, BRIGHTON, COLO-) PERMIT NO. M-11227
RADO.)
----------)

December 10, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from K. M. Bromley, dba "K & R Sales & Service", Brighton, Colorado requesting that Permit No. M-11227 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11227, heretofore issued to K. M. Bromley, dba "K & R Sales & Service", Brighton, Colorado be, and the same is hereby, declared cancelled effective October 30, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard L. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 10th day of December, 19 64.

hc

(Decision No. 64187)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
)
GALE MANAHAN, P. O. BOX 987, IDAHO)
SPRINGS, COLORADO.) PERMIT NO. M-12140
)
)

December 10, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Gale Manahan, Idaho Springs, Colorado requesting that Permit No. M-12140 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12140, heretofore issued to Gale Manahan, Idaho Springs, Colorado be, and the same is hereby, declared cancelled effective November 6, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard L. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 10th day of December, 19 64.

hc

(Decision No. 64188)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
GEORGE LEGLER, DOING BUSINESS AS,)
"L AND L AUTOMOTIVE", 201 FEDERAL)
BOULEVARD, DENVER 19, COLORADO.)
)
----------)

PERMIT NO. M-13403

December 10, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from George Legler, doing business as, "L & L Automotive", Denver 19, Colorado requesting that Permit No. M-13403 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13403, heretofore issued to George Legler, doing business as, "L & L Automotive", Denver 19, Colorado be, and the same is hereby, declared cancelled effective November 16, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard S. Bjelland
Ralph C. Hudson
Commissioners

Dated at Denver, Colorado,

this 10th day of December, 19 64.

hc

(Decision No. 64189)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
ANTHONY EDWARD GALLEGOS, P. O. BOX 248, ALAMOSA, COLORADO.) PERMIT NO. M-13832

December 17, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Anthony Edward Gallegos, Alamosa, Colorado requesting that Permit No. M-13832 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13832, heretofore issued to Anthony Edward Gallegos, Alamosa, Colorado be, and the same is hereby, declared cancelled effective November 15, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,

this 17th day of December, 19 64.

hc

(Decision No. 64190)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
J. B. TRIPP DOING BUSINESS AS, "TRIPPS EXCHANGE", 510 SOUTH 8TH STREET, LAMAR, COLORADO.) PERMIT NO. M-13901

December 17, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from J. B. Tripp, doing business as, "Tripps Exchange", Lamar, Colorado requesting that Permit No. M-13901 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13901, heretofore issued to J. B. Tripp, doing business as, "Tripps Exchange", Lamar, Colorado be, and the same is hereby, declared cancelled effective November 21, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 17th day of December, 19 64.

hc

(Decision No. 64191)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
M AND B, INCORPORATED, 395 CLOVIS)
PLACE, DURANGO, COLORADO.)
) PERMIT NO. M-14655
)
)

December 17, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from M & B , Inc. Durango, Colorado requesting that Permit No. M-14655 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14655, heretofore issued to M & B, Inc. Durango, Colorado be, and the same is hereby, declared cancelled effective November 14, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard L. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 17th day of December, 19 64.

hc

(Decision No. 64192)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
CHARLES B. GALBREATH, 159 FRANKLIN,)
MONTE VISTA, COLORADO.) PERMIT NO. M-15922
)
)

December 17, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Charles B. Galbreath, Monte Vista, Colorado requesting that Permit No. M-15922 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15922, heretofore issued to Charles B. Galbreath, Monte Vista, Colorado be, and the same is hereby, declared cancelled effective November 17, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,

this 17th day of December, 19 64.

hc

ing copy

(Decision No. 64193)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
DENCO OIL COMPANY)
2005 Welton St.)
Denver, Colorado 80205)
)
)

AUTHORITY NO. M 1459

CASE NO. 17661 Ins.

December 9, 1964

S T A T E M E N T

By the Commission:

On October 21, 1964, 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

Commissioners

Dated at Denver, Colorado,
this 9th day of December, 1964

9 cpys

(Decision No. 64194)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
J. M. WILLIAMS)
600 West Polk Street)
Colorado Springs, Colorado)
)
)

AUTHORITY NO. PUC 1431 and I

CASE NO. 17616 Ins.

December 9, 1964

S T A T E M E N T

By the Commission:

On November 4, 1964, 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

Henry E. Zarlengo

Howard S. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 9th day of December, 1964

orig cpd

(Decision No. 64195)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
LESTER MADISON)
220 So. Conejos)
Colorado Springs, Colorado)
)
)

AUTHORITY NO. PUC 2194

CASE NO. 18069 Ins.

December 11, 1964

S T A T E M E N T

By the Commission:

On December 3, 1964, 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

Henry E. Zarlengo
Howard S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 11th day of December, 1964

orig copy

(Decision No. 64196)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
STAR TRAILER SALES)
2150 South Broadway)
Denver, Colo.)
)
- - - - - - - - - - - - - - - - - - -)

AUTHORITY NO. M 8084

CASE NO. 17922 Ins.

December 11, 1964

S T A T E M E N T

By the Commission:

On November 18, 1964, 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

Henry E. Zarlengo

Harold D. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 11th day of December, 1964

ing copy

(Decision No. 64197)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
JAMES F. ENGLISH DBA)
PIONEER HOME IMPROVEMENT COMPANY)
195 South Santa Fe)
Denver, Colorado)

AUTHORITY NO. M 2955

CASE NO. 18101 Ins.

December 11, 1964

S T A T E M E N T

By the Commission:

On December 3, 1964, 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

Henry E. Zarlengo

Howard S. Bjelland

Ralph C. Hinman

Commissioners

Dated at Denver, Colorado,
this 11th day of December, 1964

original

(Decision No. 64198)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF F. E. NEALY AND J. M. NEALY, DOING BUSINESS AS "NEALY BROTHERS," 2234 12TH STREET, GREELEY, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 20834-PP

December 14, 1964

Appearances: Samuel W. Losli, Esq., Denver, Colorado, for Applicants.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Applicants herein seek authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of farm products, from point to point within a radius of twenty-five miles of Greeley, Colorado, and from Greeley, Colorado, and points within a radius of twenty-five miles thereof, to Denver, Colorado.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At 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 conclusions.

At the hearing, J. M. Nealy, one of applicants herein, appeared and testified in support of the application, stating if authority herein sought is granted, applicants will enter into special carriage contracts to provide needed and specialized service for certain shippers who have requested their proposed service; that said

partnership has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said operation.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for applicants' proposed transportation service; that applicants will have sufficient equipment and experience to properly carry on the proposed operation; that applicants' financial standing is established to the satisfaction of the Commission; that it does not appear that applicants' proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; 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 F. E. Nealy and J. M. Nealy, doing business as "Nealy Brothers," Greeley, Colorado, be, and they hereby are, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of farm produce, excluding livestock, from point to point within a radius of twenty-five miles of Greeley, Colorado, and from Greeley, Colorado, and points within a radius of twenty-five miles thereof, to Denver, Colorado; and this ORDER shall be deemed to be, and be, 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 has 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.

Dated at Denver, Colorado,
this 14th day of December, 1964.

mls

original

(Decision No. 64199)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF WESTERN TRANSFER, LTD., A COLORADO CORPORATION, 1931 EAST MAIN STREET, GRAND JUNCTION, COLORADO.	PERMITS NOS. B-1573, B-2156 PUC NO. 3490

December 14, 1964

STATEMENT AND FINDINGS OF FACT

By the Commission:

Western Transfer, Ltd., Grand Junction, Colorado, owner and operator of Permits Nos. B-1573 and B-2156 and PUC No. 3490, seeks authority to mortgage said operating rights to United States Bank of Grand Junction, Colorado, to secure payment of the sum of $100,000.00, in accordance with the terms and conditions of Mortgage of Chattels, of date November 16, 1964, said Mortgage, by reference, being made a part hereof.

The Commission states and finds that authority sought should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Western Transfer, Ltd., Grand Junction, Colorado, be, and hereby is, authorized to mortgage all right, title, and interest in and to Permits Nos. B-1573, B-2156, and PUC No. 3490 to United States Bank of Grand Junction, Colorado, to secure payment of the sum of $100,000.00, as set forth in the Statement preceding, which is made a part of this Order, by reference.

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 14th day of December, 1964.

Original

(Decision No. 64200)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF JUAN TREVINO AND CRUZ TREVINO, BOX 33, LA SALLE, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 20833-PP

December 14, 1964

Appearances: Juan Trevino, La Salle, Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Applicants herein seek authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of onions, from dock of Gerye & Company, at Milliken, Colorado, to Denver, Colorado; hay, from farm to farm within a radius of fifty miles of Greeley, Colorado.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At 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 conclusions.

Report of the Examiner states that at the hearing, Applicant, Juan Trevino, herein appeared and testified in support of the application, stating if authority herein sought is granted, applicants will enter into special carriage contracts to provided needed and specialized service for certain shippers who have requested their proposed

service; that they have ample and suitable equipment, sufficient net worth and operating experience with which to render said service.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for applicants' proposed transportation service; that applicants will have sufficient equipment and experience to properly carry on the proposed operation; that applicants' financial standing is established to the satisfaction of the Commission; that it does not appear that applicants' proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; 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 Juan Trevino and Cruz Trevino, La Salle, Colorado, be, and hereby are, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of onions, from dock of Gerye & Company, at Milliken, Colorado, to Denver, Colorado; hay, from farm to farm within a radius of fifty miles of Greeley, Colorado; and this ORDER shall be deemed to be, and be, 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 has 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.

Dated at Denver, Colorado,
this 14th day of December, 1964.

mls

original

(Decision No. 64201)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF CHARLES LYNN KEIRNES, EATON, COLORADO.	)))	PUC NO. 843-I PUC NO. 535

December 14, 1964

STATEMENT AND FINDINGS OF FACT

By the Commission:

The Commission is in receipt of a communication from the above-styled certificate-holder, requesting authority to do business as "Lynn Keirnes," rather than "Charles Lynn Keirnes," in the conduct of operations under said certificates.

The Commission states and 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. 843-I and PUC No. 535 to be owned and operated by:

"Lynn Keirnes,"

rather than:

"Charles Lynn Keirnes."

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 14th day of December, 1964.
mls

(Decision No. 64202)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GUIDO MANUELLO, BOX 67, SEDGWICK,)
COLORADO, FOR A CLASS "B" PERMIT TO) APPLICATION NO. 20831-PP
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

December 14, 1964

Appearances: Guido Manuello, Sedgwick, Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

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

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At 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 conclusions.

Report of the Examiner states that at the hearing, Applicant herein appeared and testified in support of his application, stating if authority herein sought is granted, he will enter into special carriage contracts to provide needed and specialized service for certain shippers who have requested his proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to render said service.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for Applicant's proposed transportation service; that Applicant will have sufficient equipment and experience to properly carry on the proposed operation; that Applicant's financial standing is established to the satisfaction of the Commission; that it does not appear that Applicant's proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; 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 Guido Manuello, Sedgwick, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of one hundred miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to home and small construction jobs within a radius of one hundred miles of said pits and supply points; sand, gravel,, dirt, stone, and refuse, from and to building construction jobs, to and from points

within a radius of one hundred miles of said jobs; 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 being restricted against the use of tank vehicles; and this ORDER shall be deemed to be, and be, 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 14th day of December, 1964.

et.

(Decision No. 64203)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CHARLES HESSE, 1107 EAST 18TH,)
GREELEY, COLORADO, FOR A CLASS "B") APPLICATION NO. 20832-PP
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

December 14, 1964

Appearances: Charles Hesse, Greeley, Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the above-styled application, Charles Hesse, Greeley, Colorado, seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of farm produce, from Milliken, Colorado, and from Johnstown, Colorado, to all points in the State of Colorado.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At 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 conclusions.

Report of the Examiner states that at the hearing, Applicant herein appeared and testified in support of his application, stating if authority herein sought is granted, he will enter into special carriage contracts to provide needed and specialized service for certain shippers who have requested his proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which

to render said service.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for applicant's proposed transportation service; that Applicant will have sufficient equipment and experience to properly carry on the proposed operation; that Applicant's financial standing is established to the satisfaction of the Commission; that it does not appear that Applicant's proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; 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 Charles Hesse, Greeley, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of farm produce, excluding livestock, from Milliken, Colorado, and from Johnstown, Colorado, to all points in the State of Colorado; and this ORDER shall be deemed to be, and be, 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 14th day of December, 1964.

et.

(Decision No. 64204)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
YOCKEY TRUCKING COMPANY, INC., 4770)
HUMBOLDT STREET, DENVER, COLORADO,) APPLICATION NO. 20001-Transfer
FOR AUTHORITY TO TRANSFER PUC NO.) SUPPLEMENTAL ORDER
900 TO MICHAEL A. FRITTS, 3084 SIXTH)
STREET, BOULDER, COLORADO.)

December 14, 1964

Appearances: John H. Lewis, Esq., Denver, Colorado, for Applicants.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By Decision No. 61325, of date September 13, 1963, as amended by Decision No. 61385, of date September 16, 1963, as amended by Decision No. 61539, of date October 4, 1963, Yockey Trucking Company, Inc., Denver, Colorado, was authorized to transfer PUC No. 900 to Michael A. Fritts, Boulder, Colorado, it being therein provided:

> "That permission is hereby given to mortgage PUC No.900 in the amount of $1,250.00 to Ralph Yockey."

The Commission is now in receipt of a communication from Ralph Yockey, stating said mortgage was paid in full on November 6, 1964, and requesting that the records of the Commission so show.

The Commission states and finds that said mortgage should be released, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That mortgage of PUC No. 900 by Michael A. Fritts, Boulder, Colorado, to Ralph Yockey, Denver, Colorado, in the amount of $1,250.00, authorized by Decision No. 61325, as amended by Decision No. 61385, as amended by Decision No. 61539, be, and the same hereby

is, released, said indebtedness having been paid in full.

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 14th day of December, 1964.

et.

(Decision No. 64205)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF JERRY D. NIELSEN, DEL NORTE, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 20752-PP
SUPPLEMENTAL ORDER

December 14, 1964

Appearances: Elizabeth A. Conour, Esq., Del Norte, Colorado, for Applicant.

STATEMENT AND FINDINGS OF FACT

By the Commission:

On November 4, 1964, the Commission entered its Decision No. 63984, granting to Applicant herein the right to operate as a Class "B" private carrier by motor vehicle for hire.

The Commission is now in receipt of a communication from Attorney for Applicant herein, stating Applicant no longer desires operating rights granted by said Decision No. 63984, and requesting cancellation thereof.

The Commission states and finds that said request should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That operating rights granted to Jerry D. Nielsen, Del Norte, Colorado, by Decision No. 63984, of date November 4, 1964, be, and the same hereby are cancelled and revoked, upon request of Attorney for Applicant herein.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 14th day of December, 1964.
et

(Decision No. 64206)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF KEITH RAYMOND MERRITT, DOING BUSINESS AS "SUN VAN LINES," 4916 JACKSON STREET, DENVER, COLORADO.	))))	PUC NO. 3753

December 14, 1964

STATEMENT AND FINDINGS OF FACT

By the Commission:

The Commission is in receipt of a communication from the above-styled certificate-holder, stating he has changed his trade name from: "Sun Van Lines," to "Western Moving & Storage," and requesting that the records of the Commission be changed so to show.

The Commission states and 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. 3753 to be owned and operated by:

"Keith Raymond Merritt,
doing business as
'Western Moving & Storage,'"

in lieu of:

"Keith Raymond Merritt,
doing business as
'Sun Van Lines.'"

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 14th day of December, 1964.

et.

original

(Decision No. 64207)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF GLENN ANDRADE AND JOHN T. BOYER, DOING BUSINESS AS "GREELEY TREE SERVICE," A15 NORTH 6TH AVENUE, GREELEY, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 20830-PP

December 15, 1964

Appearances: Glenn Andrade, Greeley, Colorado, for Applicants.

STATEMENT AND FINDINGS OF FACT

By the Commission:

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

Said application was regularly set for hearing before the Com-

mission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At 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 conclusions.

Report of the Examiner states that at the hearing, Applicant Glenn Andrade herein appeared and testified in support of his application, stating if authority herein sought is granted, Applicants will enter into special carriage contracts to provide needed and specialized service for certain shippers who have requested their proposed service; that they have ample and suitable equipment, sufficient net worth and operating experience with which to render said service.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for applicants' proposed transportation service; that applicants will have sufficient equipment and experience to properly carry on the proposed operation; that applicants' financial standing is established to the satisfaction of the Commission; that it does not appear that applicants' proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; 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 Glenn Andrade and John T. Boyer, doing business as "Greeley Tree Service," Greeley, Colorado, be, and hereby are, authorized to operate as a Class "B" private carrier by motor vehicle for

hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of 75 miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to home and small construction jobs within a radius of 75 miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of 75 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 75 miles of said pits and supply points, transportation of road-surfacing materials being restricted against the use of tank vehicles; and this ORDER shall be deemed to be, and be, 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

Commissioners.

Dated at Denver, Colorado,
this 15th day of December, 1964.

mls

original

(Decision No. 64208)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WESLEY HARIAN, 3438 FRONT STREET,)
CLIFTON, COLORADO, FOR A CLASS "B") APPLICATION NO. 20784-PP
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)

December 15, 1964

Appearances: Wesley Harlan, Clifton, 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 to be restricted against the use of tank vehicles.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At 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 conclusions.

At the hearing, Applicant herein appeared and testified he is presently operating under Temporary Authority issued by this Commission; that he is the owner of a 1959 Ford two-ton dump truck; that he has a net worth of $28,000; that if authority herein sought is granted, he will obey the law and the rules and regulations of this Commission.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for applicant's proposed transportation service; that applicant will have sufficient equipment and experience to properly carry on the proposed operation; that applicant's financial standing is established to the satisfaction of the Commission; that it does not appear that applicant's proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; 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 Wesley Harlan, Clifton, 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 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 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 50 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 50 miles of said pits and supply points, transportation of road-surfacing materials being restricted against the use of tank vehicles; and this ORDER shall be deemed to be, and be, 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 15th day of December, 1964.
mls

Original

(Decision No. 64209)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LLOYD H. STECKEL, 667 29-1/2 ROAD,)
ROUTE 5, GRAND JUNCTION, COLORADO,) APPLICATION NO. 20807-PP-Extension
FOR AUTHORITY TO EXTEND OPERATIONS)
UNDER PERMIT NO. B-5089.)

December 15, 1964

Appearances: Lloyd H. Steckel, Grand Junction, Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Applicant herein seeks authority to extend operations under Permit No. B-5089, to include the right to transport sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of sixty-five miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to home and small construction jobs within a radius of sixty-five miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of sixty-five miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of sixty-five miles of said pits and supply points, transportation of road-surfacing materials to be restricted against the use of tank vehicles, not restricted to present customers.

Said Permit No. B-5089 presently authorizes transportation of:

sand, gravel, asphalt, dirt, culverts and steel, for road, street and building construction, over all streets, roads and highways within a radius of 65 miles of Grand Junction, Colorado, for a limited number of customers, viz: Corn Construction Company, Whitewater Sand and Gravel Company, and Charles Hilton, Grand Junction, Colorado. No service to or from Telluride, Rico, or Ophir, Colorado. Culverts and steel limited to when necessary for road, street or highway construction jobs, in emergencies, only, by dump trucks, in connection with, and at the same time of, transportation of other road-surfacing materials hereby authorized.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At 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 conclusions.

At the hearing, Applicant herein appeared and testified he is the owner of a 1958 Ford two and one-half-ton dump truck; that he has a net worth of $10,000; that if authority herein sought is granted, he will obey the law and rules and regulations of this Commission; that if authority herein sought is granted, present operating rights may be cancelled and new authority be as prayed for in the instant application.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for applicant's proposed extended transportation services; that applicant will have sufficient equipment and experience to properly carry on said proposed extended operation; that applicant's financial standing is established to the satisfaction of the Commission; that it does not appear that applicant's proposed extended operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route,

or routes; 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 Lloyd H. Steckel, Grand Junction, Colorado, be, and hereby is, authorized to extend operations under Permit No. B-5089, so that said Permit No. B-5089, as extended, shall authorize 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 65 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 65 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 65 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 65 miles of said pits and supply points, transportation of road-surfacing materials being restricted against the use of tank vehicles; and this ORDER shall be deemed to be, and be, a PERMIT therefor.

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 15th day of December, 1964.

mls

original

(Decision No. 64210)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ANTON R. CHVILICEK, ROUTE 1, BOX 326,)
PALISADE, COLORADO, FOR A CLASS "B") APPLICATION NO. 20785-PP
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)

December 15, 1964

Appearances: Anton R. Chvilick, Palisade, Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Applicant herein seeks authority to operate as a private carrier by motor vehicle for hire, for the transportation of ensilage, from fields to pits and storage points within a radius of twenty-five miles of Grand Junction, Colorado.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At 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 conclusions.

Applicant herein appeared at the hearing and testified he has received many requests for his proposed service; that he is presently operating under Temporary Authority issued by this Commission; that he is the owner of a 1946 Diamond-T two-ton truck; that he has a net worth of $20,000; that if authority herein sought is granted, he will obey the law and rules and regulations of this Commission.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one

protests the granting of the instant application; that there is a need for applicant's proposed transportation service; that applicant will have sufficient equipment and experience to properly carry on the proposed operation; that applicant's financial standing is established to the satisfaction of the Commission; that it does not appear that applicant's proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; 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 Anton R. Chvilicek,Palisade, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of ensilage, from fields to pits and storage points within a radius of twenty-five miles of Grand Junction, Colorado; and this ORDER shall be deemed to be, and be, 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 15th day of December, 1964.

mls

Original

(Decision No. 64211)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF C & S IMPLEMENT COMPANY, 2803 NORTH AVENUE, GRAND JUNCTION, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 20786-PP

December 15, 1964

Appearances: George H. Clutter, Grand Junction, Colorado, for Applicant.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of ensilage, from fields to pits and storage points within a radius of twenty-five miles of Grand Junction, Colorado.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At 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 conclusions.

At the hearing, George H. Clutter appeared and testified he is President of Applicant herein; that he has had many requests for said proposed service; that Applicant is the owner of a 1951 G.M.C. two and one-half-ton truck, a 1948 Studebaker two-ton truck, a 1951 Dodge two-ton truck, and a 1946 Chevrolet one one one-half ton truck; that he has a net worth of $180,000; that if authority herein sought is granted, Applicant will obey the laws and rules

and regulations of this Commission.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for applicant's proposed transportation service; that applicant will have sufficient equipment and experience to properly carry on the proposed operation; that applicant's financial standing is established to the satisfaction of the Commission; that it does not appear that applicant's proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general highway route, or routes; 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 C & S Implement Company, Grant Junction, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of ensilage, from fields to pits and storage points within a radius of twenty-five miles of Grand Junction, Colorado; and this ORDER shall be deemed to be, and be, 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 15th day of December, 1964.

et.

Original

(Decision No.64212)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF AA TAXICAB COMPANY, INC., 1101 EAST ABRIENDO, PUEBLO, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY, AUTHORIZING EXTENSION OF OPERATIONS UNDER PUC NO. 1007.	APPLICATION NO. 20809-Extension
RE MOTOR VEHICLE OPERATIONS OF AA TAXICAB COMPANY, INC., 1101 EAST ABRIENDO, PUEBLO, COLORADO.	PUC. NO. 4844

December 15, 1964

Appearances: Albert G. Davis, Esq., Pueblo, Colorado, for Applicant;
Philip S. Cabibi, Esq., Pueblo, Colorado, for City Cab Company.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Heretofore, AA Taxicab Company, Inc., Pueblo, Colorado, was granted a certificate of public convenience and necessity (PUC No. 1007), authorizing operation as a common carrier by motor vehicle for hire, for the transportation of:

> passengers between points (excluding Boone and points east thereof on line of Missouri Pacific Trans.Co.), within a radius of twenty-five miles of Pueblo, and from and to Pueblo and from Beulah. Transportation of passengers and hand baggage throughout the San Isabel Forest area, and between Pueblo on the one hand and Beulah, Rye, Westcliffe, Wetmore, and San Isabel City on the other. (a) Transportation of passengers, on call and demand, by five-passenger taxicabs, only, from points in the City of Pueblo, Colorado, and points within a radius of twenty-five miles thereof, and from Beulah and the San Isabel National Forest area, to all other points in the State of Colorado; and (b) subject to rates for service performed under sub-paragraph (a) shall not be less than those set forth in the Statement of this order, unless permission to do so be first obtained from the Commission after notice of application therefor to all competing carriers. Transportation of passengers and their hand baggage which applicant is now authorized to transport, from point to point within the City of Pueblo, Colorado. DEC #53010: Transportation of packages, parcels, baggage, messages, letters, papers, and documents, from point to point within the bound-

aries of the City of Pueblo, Colorado; provided, however, that such transportation be performed in taxicabs, only, and that no individual items so transported shall exceed fifty pounds in weight; and provided, that each delivery from one origin to one destination shall be charged as though the applicant had transported one passenger from that origin to that point of delivery, in addition to any extra charge made for leaving the vehicle to pick up or deliver such item. DEC #53730: Transportation of air freight, to and from the Pueblo Airbase, from and to Pueblo, and to andfrom all points in Pueblo County, provided, however, that this authority shall be restricted to transportation of freight that is being delivered to Pueblo County, or destined from Pueblo County, by scheduled air carriers. Between all points in Colorado and the Colorado state boundary lines where all highways cross same in interstate commerce, only, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

By the above-styled application, said certificate-holder seeks authority to extend operations under PUC No. 1007.

Said Application was regularly set for hearing before the Commission and an Examiner was duly designated to conduct said hearing, he thereafter to submit a report of said proceedings to the Commission.

Report of the Examiner states that at the time and place designated for hearing, Applicant herein moved to dismiss the instant application, and requested authority to suspend operations under PUC No. 4844, also owned by Applicant, for an indefinite period of time.

The Commission, having considered the record and files and the written statement of the Examiner herein states and finds that said requests should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Application No. 20809-Extension be, and the same hereby is, dismissed, upon request of Applicant.

That AA Taxicab Company, Inc., Pueblo , Colorado, be, and hereby is, authorized to suspend operations under PUC No. 4844 for an indefinite period of time.

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 15th day of December, 1964.

et

(Decision No. 64213)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF FLOYD H. DOLAN, 322 WEST ASPEN, FRUITA, COLORADO, FOR AUTHORITY TO EXTEND OPERATIONS UNDER PERMIT NO. B-3666.

APPLICATION NO. 20783-PP-Extension

December 15, 1964

Appearances: Floyd H. Dolan, Fruita, Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Applicant herein is presently the owner and operator of Permit No. B-3666, authorizing operation as a private carrier by motor vehicle for hire, for the transportation of:

> coal and coke, grain, feed, seed, potatoes, sand, and gravel, from point to point within the area included in the Town of Fruita, Colorado, and a radius of eighteen (18) miles thereof. Dec.#58833: EXTENDED TO: Transport sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of one hundred miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to home and small construction jobs within a radius of one hundred miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of one hundred miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of one hundred miles of said pits and supply points, transportation of road-surfacing materials to be restricted against the use of tank vehicles.

By the above-styled application, said permit-holder seeks authority to extend operations under Permit No. B-3666, to include the right to transport waste, or cull peaches, from the Mountain Lion Packing House or other packing houses within a radius of ten miles of Palisade, Colorado, to the Palisade City Dump or other approved

dumping grounds within a radius of ten miles of Palisade, Colorado.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At 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 conclusions.

At the hearing, Applicant herein appeared and testified he has received many requests for his proposed extended service; that he is the owner of a 1960 International two-ton truck; that he has a net worth of $20,000; that if authority herein sought is granted, he will obey the law and rules and regulations of this Commission.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for Applicant's proposed extended transportation services; that Applicant will have sufficient equipment and experience to properly carry on said proposed extended operation; that Applicant's financial standing is established to the satisfaction of the Commission; that it does not appear that Applicant's proposed extended operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; 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 Floyd H. Dolan, Fruita, Colorado, be, and he hereby is, authorized to extend operations under Permit No. B-3666, to include

the right to transport waste or cull peaches, from packing houses within a radius of ten miles of Palisade, Colorado, to the Palisade City Dump or other approved dumping grounds within a radius of ten miles of Palisade, Colorado; and this ORDER shall be deemed to be, and be, a PERMIT therefor.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 15th day of December, 1964.

et.

(Decision No. 64214)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
BILLIE G. SMITH, ROUTE 4, BOX 2091-A)
FORT COLLINS, COLORADO, FOR A CLASS) APPLICATION NO. 20829-PP
"B" PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

December 15, 1964

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 to be restricted against the use of tank vehicles.

Said application was regularly set for hearing before the Commission, and an Examiner was duly designated to conduct said hearing, he thereafter to submit a report of said proceedings to the Commission.

Report of the Examiner states that at the time and place designated for hearing, Applicant failed to appear, either in person or by representative. Thereupon, the files were made a part of the

record and the matter was taken under advisement.

From the files and other inquiry, it appears that Applicant has ample and suitable equipment, sufficient net worth and operating experience with which to render his proposed service.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for Applicant's proposed transportation service; that applicant will have sufficient equipment and experience to properly carry on the proposed operation; that Applicant's financial standing is established to the satisfaction of the Commission; that it does not appear that Applicant's proposed operation will impair the efficient public service of any authorized common carrier adeqyately serving the same territory, over the same general highway route, or routes; 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 Billie G. Smith, Fort Collins, 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, transportation of road-surfacing materials being restricted against the use of tank vehicles; and this ORDER shall be deemed to be, and be, 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 15th day of December, 1964.

et.

Original

(Decision No. 64215)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF D. M. ESTES, DOING BUSINESS AS "ESTES TRASH SERVICE," BOX 122, PUEBLO, COLORADO, FOR AUTHORITY TO TRANSFER PUC NO. 2451 TO J. W. ESTES, DOING BUSINESS AS "ESTES TRASH SERVICE," P. O. BOX 7085, FORT WORTH, TEXAS.	APPLICATION NO. 20813-Transfer
IN THE MATTER OF THE APPLICATION OF J. W. ESTES, DOING BUSINESS AS "ESTES TRASH SERVICE," P. O. BOX 7085, FORT WORTH, TEXAS,(IN THE EVENT AUTHORITY SOUGHT IN APPLICATION 20813-Transfer IS GRANTED), FOR AUTHORITY TO LEASE PUC NO. 2451 TO LIBERTY SUTHERLAND, 1402 EASTERN, P.O. BOX 122, PUEBLO, COLORADO.	APPLICATION NO. 20814-Lease

December 15, 1964

Appearances: James A. Weir, Esq., Colorado Springs, Colorado, for Applicants.

STATEMENT AND FINDINGS OF FACT

By the Commission:

D. M. Estes, doing business as "Estes Trash Service," Pueblo, is the owner of PUC No. 2451, authorizing:

> Call and demand motor vehicle common carrier service for: the calling for, picking up, hauling away, dumping, general disposition of trash, ashes, dirt, rubbish, refuse, and other waste materials, and general transportation of same from the Post office at Pueblo, Colorado, and a radius of 15 miles therefrom as point of pickup or origin, and to all points within the County of Pueblo as destination or points of disposal. B. For the general transportation movement, hauling and carrying of sand, gravel, aggregate, and fertilizer from any point of origin of Pueblo County to any other points of disposition or destination in Pueblo County. The area and intended operation of applicant being the roads, highways, streets, private and public, within the County of Pueblo and over no fixed route other than these legally established for the operation of applicant's

> business to and from such points as may legally be designated as dump grounds and for any other points within the radius heretofore set forth that may be hereafter designated as public dumping grounds.

Said certificate-holder now seeks authority to transfer said PUC No. 2451 to J. W. Estes, doing business as "Estes Trash Service," Fort Worth, Texas, who in turn seeks authority to lease said operating rights to Liberty Sutherland, Pueblo, Colorado.

Said applications were regularly set for hearing before the Commission, and were heard on a consolidated record by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matters were 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 conclusions.

At the hearing, Liberty Sutherland appeared and testified in support of said applications, stating she is personally acquainted with the other Applicants herein; that it was impossible for said parties to personally appear at the hearing; that she is Manager of Estes Trash Service; that she knows of her own personal knowledge that PUC No. 2451 has been continuously operated since granted by the Commission; that there is no outstanding indebtedness against said operation; that no monetary consideration will be involved for the proposed transfer and lease; that executed copy of Lease Agreement is on file with the Commission; that she will have ample and suitable equipment, sufficient net worth and operating experience with which to continue said operation.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant applications; that lessee will have sufficient equipment and experience to properly carry on said operation; that the financial standing of transferee and lessee are established to the satisfaction of the Commission; that the pro-

posed transfer and lease are 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 D. M. Estes, doing business as "Estes Trash Service," Pueblo, Colorado, be, and he hereby is, authorized to transfer all right, title, and interest in and to PUC No. 2451 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to J. W. Estes, doing business as "Estes Trash Service," Fort Worth, Texas, subject to encumbrances, if any, against said certificate approved by this Commission.

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

That J. W. Estes, doing business as "Estes Trash Service," Fort Worth, Texas, be, and he hereby is, authorized to lease said PUC No. 2451 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Liberty Sutherland, Pueblo, Colorado, in accordance to terms and conditions of "Lease and Option" between said parties of date September 23,

1963, and subject to encumbrances, if any, against said certificate approved by this Commission.

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 15th day of December, 1964.

et.

(Decision No. 64216)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
CHARLES SUMMERS AND WILLIAM K. SPICER,)
DOING BUSINESS AS, "RANCHITOS LUMBER)
COMPANY", P. O. BOX 318, LOS ANIMAS,)
NEW MEXICO.)

PERMIT NO. M-4144

December 17, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Charles Summers & William K. Spicer, doing business as, "Ranchitos Lumber Co.", Los Alamos, New Mexico requesting that Permit No. M-4144 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4144, heretofore issued to Charles Summers & William K. Spicer, doing business as, "Ranchitos Lumber Co." Los Alamos, New Mexico be, and the same is hereby, declared cancelled effective November 12, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard S. Bjelland
Ralph C. Hinman
Commissioners

Dated at Denver, Colorado,
this 17th day of December, 19 64.

hc

(Decision No. 64217)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
DALE MANNING AND CHARLES L. HENSLEY,)
DOING BUSINESS AS, "M AND H FERT-)
ILIZING AND LANDSCAPING", 2000 HARLAN) PERMIT NO. M-1152
STREET, EDGEWATER, COLORADO.)
)

December 17, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Dale Manning & Charles L. Hensley, dba "M & H Fertilizing & Landscaping", Edgewater, Colorado requesting that Permit No. M-1152 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1152, heretofore issued to Dale Manning & Charles L. Hensley, dba "M & H Fertilizing & Landscaping", Edgewater, Colorado be, and the same is hereby, declared cancelled effective November 8, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 17th day of December, 19 64.

hc

(Decision No. 64218)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
FRANK T. MANCHEGO, 422 WEST 2ND,)
SALIDA, COLORADO.)
) PERMIT NO. M-2202
)
)

December 17, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Frank T. Manchego, Salida, Colorado requesting that Permit No. M-2202 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2202, heretofore issued to Frank T. Manchego, Salida, Colorado be, and the same is hereby, declared cancelled effective October 30, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Harold S. Bjelland
Ralph C. Taylor
Commissioners

Dated at Denver, Colorado,
this 17th day of December, 19 64.

hc

(Decision No. 64219)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
G. L. SEBRING, 614 WEST GUNNISON)
AVENUE, GUNNISON, COLORADO.)
) PERMIT NO. M-2249
)
)

December 17, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from G. L. Sebring, Gunnison, Colorado requesting that Permit No. M-2249 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2249, heretofore issued to G. L. Sebring, Gunnison, Colorado be, and the same is hereby, declared cancelled effective November 22, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard L. Bijlland
Ralph C. Hardin
Commissioners

Dated at Denver, Colorado,
this 17th day of December, 19 64.

hc

(Decision No. 64220)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
FRANK BRACCO AND EUGENE BRACCO,)
DOING BUSINESS AS, "BRACCO AND COM-)
PANY", 900 ARIZONA AVENUE, TRINIDAD,) PERMIT NO. M-3929
COLORADO.)

December 17, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Frank Bracco & Eugene Bracco, doing business as, "Bracco & Company", Trinidad, Colorado requesting that Permit No. M-3929 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-3929, heretofore issued to Frank Bracco & Eugene Bracco, doing business as, "Bracco & Company", Trinidad, Colorado be, and the same is hereby, declared cancelled effective November 20, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard L. Bijlard
Ralph C. Taylor
Commissioners

Dated at Denver, Colorado,
this 17th day of December, 19 64.

hc

(Decision No. 64221)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
RUDELL E. FISCHER AND RUDELL B.)
FISCHER, 800 WEST 5TH AVENUE, DENVER,)
4, COLORADO.)
)
)

PERMIT NO. M-5952

December 17, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Rudell E. Fischer & Rudell B. Fischer, Denver 4, Colorado

requesting that Permit No. M-5952 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-5952, heretofore issued to Rudell E. Fischer & Rudell B. Fischer, Denver 4, Colorado be,

and the same is hereby, declared cancelled effective October 31, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard J. Gillland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 17th day of December, 19 64.

hc

(Decision No. 64222)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
GLEN O. YEAMANS & DONNE. C. GORDON,)
DOING BUSINESS AS, "YEAMANS AND)
GORDON MORTICIANS", P. O. BOX 576,) PERMIT NO. M-6257
AKRON, COLORADO.)

December 17, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Glen O. Yeamans & Donne C. Gordon, dba "Yeamans & Gordon Morticians", Akron, Colorado requesting that Permit No. M-6257 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6257, heretofore issued to Glen O. Yeamans & Donne C. Gordon, dba "Yeamans & Gordon Morticians", Akron, Colorado be, and the same is hereby, declared cancelled effective August 1, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard S. Bjelland
Ralph L. Nelson
Commissioners

Dated at Denver, Colorado,
this 17th day of December, 19 64.

hc

(Decision No. 64223)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
HOWARD MUEHLICH & ARLENE MUEHLICH, OCTAVIA, NEBRASKA.) PERMIT NO. M-15440

December 17, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Howard Muehlich & Arlene Muehlich, Octovia, Nebraska requesting that Permit No. M-15440 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15440, heretofore issued to Howard Muehlich & Arlene Muehlich, Octovia, Nebraska be, and the same is hereby, declared cancelled effective November 22, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard A. Ward
Ralph C. Thelen
Commissioners

Dated at Denver, Colorado,
this 17th day of December, 19 64.

hc

(Decision No. 64224)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
HANS K. AMSTEIN, DOING BUSINESS AS,)
"INTERNATIONAL CUISINE", 50 MADISON)
STREET, DENVER 6, COLORADO.)
)
----------)

PERMIT NO. M-15460

December 17, 1964

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Hans K. Amstein, doing business as, "International Cuisine", Denver 6, Colorado requesting that Permit No. M-15460 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15460, heretofore issued to Hans K. Amstein, doing business as, "International Cuisine", Denver 6, Colorado be, and the same is hereby, declared cancelled effective November 28, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,

this 17th day of December, 19 64.

hc

(Decision No. 64225)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF ALFRED W. SPENCER, 2800 QUAY STREET, DENVER 15, COLORADO.	PERMIT NO. B-4355

December 17, 1964

S T A T E M E N T

By the Commission:

On March 11, 1964, the Commission authorized Alfred W. Spencer to suspend operations under his Permit No. B-4355, until September 11, 1964.

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-4355, should be, and the same hereby is, reinstated as of August 17, 1964.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Commissioners

Dated at Denver, Colorado,
this 17th day of December, 1964.

hc

orig copy

(Decision No. 64226)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
HAL KING)
P.O. Box 103)
Fountain, Colorado)
)
)

AUTHORITY NO. PUC 3661

CASE NO. 18009 Ins.

December 15, 1964

S T A T E M E N T

By the Commission:

On December 3, 1964, 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

Henry E. Zarlengo
Howard S. Bigelow
Ralph C. Hanlon
Commissioners

Dated at Denver, Colorado,
this 15th day of December, 1964

(Decision No. 64227)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

REDUCED RATES, WINE FROM DENVER TO VARIOUS COLORADO DESTINATIONS	)))	INVESTIGATION AND SUSPENSION DOCKET NO. 540

December 14, 1964

Appearances: No appearance for respondents

Gerald T. Boyle, 1031 - 15th Street Denver, Colo., for McKesson & Robbins, Inc., 1100 Wazee St., Denver, Colorado and Franchise Liquors, Inc., 4809 Colorado Boulevard, Denver, Colorado

A. J. Tait, a member of the Staff of the Commission, 1525 Sherman Street, Denver, Colorado

STATEMENT AND FINDINGS

BY THE COMMISSION:

By original pages 241-A and 241-B, items 2743, 2744 and 2745, to Colorado Motor Carriers' Association, Agent, Tariff No. 12-A, Colorado PUC No. 11* (*The Motor Truck Common Carriers' Association, Agent, Series), scheduled to become effective October 17, 1964, participating carriers therein proposed new and reduced less-than-truckload rates for the transportation of wine, in containers, in wicker baskets, barrels or boxes or in bulk in barrels, actual value not exceeding $1.15 per gallon, from Denver, Colorado to various destinations in Colorado, some of the destinations being Akron, Antlers, Boulder, Colorado Springs, Florence, Fort Collins, Holly, Limon, Loveland, Ordway, Pueblo, Sterling, Trinidad, Walsenburg and Yuma. The operation of the said schedules was suspended and the use thereof deferred to and including February 4, 1965, unless otherwise ordered, by Decision No. 63799, dated October 5, 1964, with the matter being heard in Denver, Colorado on October 21, 1964, as noticed, and taken under advisement.

Three shipper witnesses appeared and offered testimony in support of the proposed rates. The shipper's traffic witness stated that less-than-truckload

commodity rates and a classification exception column 55 rating had been applicable on wine since 1960; that the classification exception rating as applicable over respondent lines had been cancelled; and that he had prepared the study upon which the shippers' application, for publication of the proposed rates, was based. The operations manager of one shipper testified that freight charges on wine were prepaid, and as a consequence the increased charges resulting from the cancellation of the classification rating of column 55 would have to be borne by his company; that if the classification rating of column 100, as presently applicable to wine, persists, the only alternative thereto, was to go to proprietary carriage; that if proprietary carriage was gone to, all liquor, including wine movements, would be diverted to such carriage; that the preponderance of this shipper's wine shipments were to Colorado Springs and Pueblo and that said shipments were being transported by a private carrier. The sales manager of the second shipper testified that all wines were sold F.O.B. Denver, Colorado; that if the classification rating of column 100 were to remain in effect, it would become necessary for his company to confine the sales of wine to the Denver area or, in the alternative, to institute its own delivery system, and that the preponderance of the shipments made from Denver were destined to Colorado Springs, Colorado and Northeastern Colorado points while those from Colorado Springs were destined to Trinidad, Colorado.

In the absence of a showing that the proposed rates are compensatory, and no such showing has been made on this record, we may not so find. None of the respondents appeared or offered testimony that would establish the compensativeness of said rates. The burden of proof is upon the respondents to establish by competent and substantial evidence that the proposed less-than-truckload rates are just, reasonable and sufficient. This burden has not been sustained and the proposed rates accordingly may not be approved. We find that the suspended schedules have not been justified and that an order should be entered requiring the cancellation of said schedules and discontinuing the proceeding.

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 respondents herein be, and they are hereby, notified and required to cancel items 2743, 2744 and 2745, original pages numbered 241-A and 241-B to Colorado Motor Carriers' Association, Agent, Tariff No. 12-A, Colorado PUC No. 11* (*The Motor Truck Common Carriers' Association, Agent Series), on or before January 11, 1965, upon notice to the Commission and the general public by not less than one (1) day's filing and posting in the manner prescribed by law and the rules and regulations of the Commission, and that the proceeding be discontinued.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado this
14th day of December, 1964.

dh

Original

(Decision No. 64228)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF ROBERT SIMINOE, ROUTE 1, GRAND JUNCTION, COLORADO, FOR AUTHORITY TO EXTEND OPERATIONS UNDER PERMIT NO. B-2192.	APPLICATION NO. 20788-PP-Extension

December 16, 1964

Appearances: Keith Mumby, Esq., Grand Junction, Colorado, for Applicant;
Edward T. Lyons, Esq., Denver, Colorado, for Estes Trucking Company, Rio Grande Motor Way, Inc.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Heretofore, Applicant herein was granted a Class "B" private carrier permit (No. B-2192), authorizing transportation of:

> farm products (including livestock) from farms within fifty miles of Mack, to railroad loading points in said area. EXTENDED to include transportation of farm products, including livestock, from point to point within a radius of fifty miles of Palisade, Colorado, and from and to points within said fifty-mile radius of Palisade, Colorado, to and from all points within the State of Colorado.

By the above-styled application, said permit-holder seeks authority to extend operations under Permit No. B-2192, to include the right to transport processed feed, from point to point within a radius of fifty miles of Palisade, Colorado, and from and to points within said fifty-mile radius of Palisade, Colorado, to and from all points within the State of Colorado.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At 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 conclusions.

At the hearing, Applicant herein appeared and testified he has received many requests for his proposed extended service; that he maintains an office in Grand Junction, Colorado, and is the owner of a 1959 Chevrolet three-ton truck, a 1960 stock trailer, and a 1948 grain trailer, and could lease other equipment from his father, if necessary.

Mike Osborn testified he is the owner of Osborn Elevator Company, of Fruita, Colorado, engaged in feed processing and manufacture; that it is necessary that his company obtain certain pellets now being manufactured at Silt, Colorado, by M & L Manufacturing Company; that he has had some trouble getting service from Estes Trucking Company; that his company owns two trucks which it uses in the business; that he would use Applicant's service, if authority herein sought is granted.

Charles Ingelhart testified he is with Ingelhart Mills, at Fruita, Colorado, engaged in the manufacture of feeds; that his company owns two trucks for use in said business; that there were times when his Company needs larger trucks; that most of his customers are ranchers and feeders who are serviced from the mill to ranch or feed lot; that he would use Applicant's service if authority herein sought is granted; that he has never called upon any other for-hire carrier for service.

Leslie Estes appeared and testified he is owner of Estes Trucking Company, located at Rifle, Colorado; that he has been in the trucking business since 1942, and owns PUC Nos. 802, 1971, 3406 and 781; that he maintains large amounts of motor vehicle equipment, all of which are not busy; that he has $200,000 invest-

ed in said truck line; that he is now hauling feeds from M & L Plant in Silt, Colorado; that Silt is seven miles west of Rifle, on Highway No. 6; that his company needs the transportation of pellets from Silt for winter work.

Thereupon, Applicant amended his application to exclude town-to-town transportation services.

Official notice was taken also of PUC No. 149, owned by Rio Grande Motor Way, Inc.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that the instant application is opposed by carriers presently serving in the territory herein sought to be served by Applicant; that it appears that Applicant's proposed extended operation will impair the efficient public service of authorized common carriers adequately serving the same territory, over the same general highway route, or routes; that granting said authority will not be in the public interest, and the instant application should be denied.

O R D E R

THE COMMISSION ORDERS:

That Application No. 20788-PP-Extension 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 16th day of December, 1964.

et.

Original

(Decision No. 64229)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF VALLEY LIVESTOCK AUCTION COMPANY, 2578 HIGHWAY 6 & 50, BOX 727, GRAND JUNCTION, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY, AUTHORIZING OPERATION AS A COMMON CARRIER BY MOTOR VEHICLE FOR HIRE.	APPLICATION NO. 20787

December 16, 1964

Appearances: Frank M. Hockensmith, Esq., Grand Junction, Colorado, for Applicant;
Edward T. Lyons, Esq., Denver, Colorado, for Estes Trucking Company.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the above-styled application, as amended at the hearing, Applicant herein seeks a certificate of public convenience and necessity, authorizing operation as a common carrier by motor vehicle for hire, for the transportation of livestock, to and from Valley Livestock Auction Company, from and to points within a radius of sixty miles of Grand Junction, Colorado, for customers of said Valley Livestock Auction Company, only, restricted to the use of two trucks not exceeding two tons in rated capacity, not to exceed a load limit of 14,000 pounds, any authority granted to be non-transferable.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceed-

ing, together with a written statement of his findings of fact and conclusions.

At the hearing, Kenneth Skelley appeared and testified he is President of Applicant herein; that in the business of his company, buying and selling cattle, there are many people who have small loads of cattle; that large motor carriers do not wish to haul said cattle; that there is a need for this type of transportation in Applicant's business; that Applicant has a net worth of $50,000.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that applicant will have sufficient equipment and experience to properly carry on the proposed operation; that applicant's financial standing is established to the satisfaction of the Commission; that public convenience and necessity require applicant's proposed 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 Valley Livestock Auction Company, Grand Junction, Colorado, be, and hereby is, authorized to operate as a common carrier by motor vehicle for hire, for the transportation of livestock, to and from said Valley Livestock Auction Company, from and to points within a radius of sixty miles of Grand Junction, Colorado, for customers of Valley Livestock Auction Company, only, restricted to the use of two trucks not exceeding two tons in rated capacity, not to exceed a load limit of 14,000 pounds, and this ORDER shall be deemed to be, and be, a CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY therefor, said Certificate to be non-transferable.

That Applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission

within twenty days from date.

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 16th day of December, 1964.

mls

(Decision No. 64230)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF GENE ARNOLD, 103 POWERS CIRCLE, LITTLETON, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE AS A COMMON CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 20671

December 16, 1964

Appearances: Barnett S. Aisenberg, Esq., Denver, Colorado, for Applicant;
John R. Barry, Esq., Denver, Colorado, for Continental Central Bus Lines, Inc.;
Ernest Porter, Esq., Denver, Colorado, for The Denver & Rio Grande Motorway, Inc.;
Edward T. Lyons, Jr., Esq., Denver, Colorado, for Estes Trucking Company.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the above-styled application, as amended at the hearing, Applicant herein seeks a certificate of public convenience and necessity, authorizing operation as a common carrier by motor vehicle for hire, for the transportation of freight, food-stuffs, auto machinery parts, and allied materials, from the City and County of Denver and a ten-mile radius thereof, to Rifle, Colorado, and from Rifle, Colorado, to the City and County of Denver and a ten-mile radius thereof, excluding, however, transportation of: (1) commodities in bulk; (2) machinery, equipment, materials, and supplies over 2,000 pounds in weight, and (3) machinery, equipment, materials and supplies as used in and connected with the oil and gas industry.

Said application was regularly set for hearing before the Commission, and an Examiner was duly designated to conduct said hearing, he thereafter to submit a report of said proceedings to the

Commission.

Report of the Examiner states that upon acceptance of amendment to the instant application, Applicant moved that hearing of said application, as amended, be continued and said matter re-set for hearing in Rifle, Colorado, because of his inability to produce public witnesses who would appear and testify in support of said application. Over protest, said motion was allowed.

The Commission states and finds that the instant application should be continued and re-set for hearing, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That application No. 20671 as amended, be, and the same hereby is, continued, to be later re-set for hearing before the Commission, with notice to only those parties entering appearances at hearing of said application on November 19, 1964.

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 16th day of December, 1964.

et.

(Decision No. 64231)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF ALFRED R. JACKSON, DOING BUSINESS AS "JACKSON CARTAGE CO.," LAMAR, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY, AUTHORIZING EXTENSION OF OPERATIONS UNDER PUC NO. 1645 AND PUC NO. 1645-I.	)	APPLICATION NO.20775-Extension

December 16, 1964

Appearances: John P. Thompson, Esq., Denver, Colorado, for Applicant.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Applicant herein, owner and operator of PUC No. 1645 and PUC No. 1645-I, seeks authority to extend operations under said certificates, so as to authorize, as extended, transportation as follows:

> General cartage and transportation service by motor vehicle for the pick-up and delivery of freight between points within the area including the City of Lamar and adjacent territory within a radius of two miles of the limits of said City of Lamar, and between Lamar and points within two miles thereof, on the one hand, and on the other hand,
>
> 1. Holly, Colorado, and all points located on Highways 50, 51 and 196, intermediate between Lamar and Holly;
>
> 2. John Martin Dam, near Hasty, Colorado, serving Wiley, May Valley and all other points intermediate located on Highways 169, 192, 196 and U. S. Highways 287 and 50; and
>
> 3. The American Telephone and Telegraph Company facility located approximately ten miles south of Lamar, serving all points intermediate located on U. S. Highway 287,

in both intrastate and interstate and foreign commerce.

Said application was regularly set for hearing before the Commission, and Notice of said application was also regularly published in the Federal Register as required by Section 206 (a)(6) of

the Interstate Commerce Act, as amended October 15, 1962, according to the evidence.

An Examiner was duly designated by the Commission to conduct said hearing. At 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 conclusions.

At the hearing, Applicant herein appeared and testified in support of his application, stating he has received many requests for his proposed service; that a definite need exists in the area involved for said service, both as to intrastate and interstate traffic; that he has ample and suitable equipment, sufficient net worth and operating experience with which to render said service.

Seven public witnesses appeared and testified in support of the application. These witnesses represented various business establishments that receive and ship a great variety of different types and sizes of commodities in various towns and communitied located in the area which Applicant proposes to serve. Their testimony firmly established that a definite need exists for a local general commodity carrier to receive and dispatch shipments moving only between points locally within the area, and also into and out of the area in intrastate commerce.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that applicant will have sufficient equipment and experience with which to properly carry on said proposed extended operation; that Applicant's financial standing is established to the satisfaction of the Commission; that Applicant operates solely within the State of Colorado, and is not controlled by, controlling, or under a common control with any carrier engaged in operations outside the State; that Applicant should be authorized to engage in intrastate operations, as set forth in his application, and in interstate and foreign commerce within the same limits; that notice of the hearing in this matter was given to interested

parties through publication in the Federal Register of the filing of the application, and of the desire of the Applicant also to engage in transportation in interstate and foreign commerce within the limits of the intrastate authority granted; that public convenience and necessity require Applicant's proposed extended motor vehicle common carrier transportation service, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Alfred R. Jackson, doing business as "Jackson Cartage Co.," Lamar, Colorado, be, and hereby is, authorized to extend operations under PUC No. 1645 and PUC No. 1645-I, to authorize conduct of a general cartage and transportation service, by motor vehicle, for pick-up and delivery of freight between points within the area including the City of Lamar and adjacent territory within a radius of two miles of the limits of said City of Lamar, and between Lamar and points within two miles thereof, on the one hand, and, on the other hand: (1) Holly, Colorado, and all points located on Highways 50, 51 and 196, intermediate between Lamar and Holly; (2) John Martin Dam, near Hasty,Colorado, serving Wiley, May Valley, and all other points intermediate on Highways 169, 192, 196, and U. S. Highways 287 and 50; and (3) The American Telephone and Telegraph Company facility located approximately ten miles south of Lamar, serving all points intermediate on U. S. Highway 287; and this ORDER shall be deemed to be, and be, A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY THEREFOR.

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

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 16th day of December, 1964.

et.

(Decision No. 64232)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE LETTUCE, IN FIELD BOXES OR CRATES, FROM POINTS IN SAN LUIS VALLEY TO DENVER AND CANON CITY, COLORADO	)))	INVESTIGATION & SUSPENSION DOCKET NO. 541

December 14, 1964

APPEARANCES: No appearance for respondent

A. J. Tait a member of the Staff of the Commission, 1525 Sherman Street, Denver, Colorado

STATEMENT AND FINDINGS

BY THE COMMISSION:

On October 1, 1964, Richard E. Ketchum, for and on behalf of E. B. Ketchum, Richard E. Ketchum and Robert D. Ketchum, doing business as Canon Vegetable Growers, operating under Certificate of Convenience and Necessity No. 6112, authorizing the transportation of farm produce, except livestock between points within a radius of 100 miles of Canon City, Colorado, filed supplement No. 1 to their Motor Freight Tariff No. 1, Colorado PUC No. 1, providing for reduced rates, applicable on lettuce, in field boxes or crates, weighing approximately 40 to 50 pounds each with return of empty boxes or crates when same carrier handles the loaded movement, from points in San Luis Valley to Denver, Colorado, of 30 cents per cwt., and to Canon City, Colorado, of 20 cents per cwt., minimum weight of 40,000 pounds.

The Commission, by Decision No. 63967, dated October 30, 1964 suspended the proposed rates to and including March 2, 1965, with hearing thereon being set for the 20th day of November, 1964. Hearing was held on November 20th, 1964 as noticed, and the matter taken under advisement.

No evidence was submitted by the respondent. The burden here is upon the respondent to establish that the proposed rates and charges are just and reasonable, and otherwise lawful. Since this burden has not been sustained it follows that an order should be entered requiring the cancellation of said schedules and discontinuing this proceeding.

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 respondent herein be, and it is hereby, notified and required to cancel the rates and charges published in supplement No. 1 to their Motor Freight Tariff No. 1, Colorado PUC No. 1, on or before January 11th, 1965, upon Notice to this Commission and the general public by not less than one day's filing and posting in the manner prescribed by law, and the rules and regulations of the Commission, and that this proceeding be discontinued.

3. This order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado this
14th day of December, 1964.

dh

(Decision No. 64233)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE REDUCED RATES CINDERS,)
CLAY OR SHALE, (AGGREGATE))

INVESTIGATION & SUSPENSION
DOCKET NO. 543

December 14, 1964

STATEMENT AND FINDINGS

BY THE COMMISSION:

By schedules filed to become effective November 23, 1964, respondents herein, published reduced rates applicable on cinders, clay or shale (aggregate) in bulk, transported from the Idealite Company plant site, near Rocky Flats, Colorado to Fort Morgan and Sterling, Colorado. Upon the Commission's own motion, by Decision No. 64137, dated November 20, 1964, said rates were suspended and the use thereof deferred to and including March 23, 1965, unless otherwise ordered.

Representatives of respondents, William R. Brumfield and Olivet Atwood Brumfield, d/b/a Atwood Truck Line and The Weicker Transfer & Storage Company conferred with a member of our Rate Department advising him as to certain information and operating data not shown in the annual reports to the Commission. The rate department, considering the foregoing and upon further study of the annual reports, has recommended that the suspension be vacated and the proceeding herein discontinued.

Upon consideration of the annual reports and the recommendation of our Rate Department, we find that our order suspending said schedules 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 herein be, and they are hereby, made a part hereof.

2. The order entered in the proceeding (Decision No. 64137 dated November 20, 1964) suspending the schedule referred to in the Statement and Findings herein, and ordering an investigation as to the lawfulness thereof, be, and it is hereby, vacated and set aside as of December 21, 1964, and that the proceeding be discontinued.

3. The order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado this
14th day of December, 1964.

dh

(Decision No. 64234)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF CHARLES A. ANDERSON, 1930 EAST 40TH AVENUE, DENVER, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE AS A COMMON CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 20845

December 16, 1964

Appearances: Joseph F. Nigro, Esq., Denver, Colorado, for Colorado Transfer & Warehousemen's Association, Mullis Transfer;
John H. Lewis, Esq., Denver, Colorado, for Columbine Moving & Storage, Inc., Moore & Moore Moving & Storage Co., Merritt Packing & Crating Service.

STATEMENT

By the Commission:

The instant application was set for hearing before the Commission on December 10, 1964, at 10:00 o'clock A. M., at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, at which time it was called up for hearing. The matter was recessed, and applicant failed to appear. It was then continued for thirty minutes, and still the applicant did not appear either in person or by counsel. Protestants joined in a motion to dismiss the application for failure of applicant to prosecute the same. The motion was taken under advisement.

FINDINGS

THE COMMISSION FINDS:

That the motion of protestants above referred to should be granted and the application dismissed.

O R D E R

THE COMMISSION ORDERS:

That the above-styled application be, and the same hereby is, dismissed for lack of prosecution.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 16th day of December, 1964.

mls