SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 65860)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
LeRoy K. Beirle)
455 Newton)
Denver, Colorado 80204)
)

PERMIT NO. B-6391

September 15, 1965

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-6391 be suspended for six months from August 1, 1965

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 LeRoy K. Beirle
455 Newton, Denver, Colorado 80204

be, and is hereby, authorized to suspend his operations under Permit No. B-6391 until February 1, 1966.

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 S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 15th day of September, 19 65

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 65861)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
R. L. Johnson)
Ward, Colo. 80481)
)
)
)

PERMIT NO. A-2217

September 15, 1965

S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that his Permit No. A-2217 be suspended for six months from July 23, 1965

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That R. L. Johnson
Ward, Colorado 80481

be, and is hereby, authorized to suspend his operations under Permit No. A-2217 until January 23, 1966.

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. Horton
Commissioners

Dated at Denver, Colorado,
this 15th day of September, 1965

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 65862)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
Clem Lovisone)
212 Harrison Ave)
Canon City, Colo 81212)
)

PERMIT NO. B-6549

September 15, 1965

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-6549 be suspended for six months from July 20, 1965.

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 Clem Lovisone
212 Harrison Avenue, Canon City, Colorado 81212

be, and is hereby, authorized to suspend his operations under Permit No. B-6549 until January 20, 1966.

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. Bjornstad
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 15th day of September, 19 65

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 65863)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
)
LaVerne J. Williams)
15 So. Grove Street)
Denver, Colorado 80219)

PERMIT NO. B-2747

September 15, 1965

STATEMENT

By the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that his Permit No. B-2747 be suspended for six months from September 9, 1965

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That LaVerne J. Williams
15 South Grove Street, Denver, Colo. 80219

be, and is hereby, authorized to suspend his operations under Permit No. B-2747 until March 9, 1966

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 15th day of September, 19 65

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 65864)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
Joe A. Trujillo)
710 No. 7th St.,)
Rocky Ford, Colo 81067)
)

PERMIT NO. B-6116

September 15, 1965

S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that his Permit No. B-6116 be suspended for six months from May 26, 1965.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Joe A. Trujillo
710 No. 7th St., Rocky Ford, Colo. 81067

be, and is hereby, authorized to suspend his operations under Permit No. B-6116 until November 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
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 15th day of September, 1965

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 65865)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
Dale Salamanca)
2804 Umatilla St)
Denver, Colorado 80211)
)

PERMIT NO. B-6581

September 15, 1965

STATEMENT

By the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that his Permit No. B-6581 be suspended for six months from July 8, 1965.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Dale Salamanca
2804 Umatilla St., Denver, Colorado 80211

be, and is hereby, authorized to suspend his operations under Permit No. B-6581 until January 8, 1966.

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. Horton
Commissioners

Dated at Denver, Colorado,
this 15th day of September, 1965

(Decision No. 65866)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF PHIL K. BEMAN AND ETHEL BEMAN, DOING BUSINESS AS "BEMAN MOTORS," BOX 526, EAST HIGHWAY 50, ROCKY FORD, COLORADO, FOR AUTHORITY TO TRANSFER PUC NO. 641 and PUC NO. 641-I TO BEMAN MOTORS TRANSPORTATION, INC., BOX 526, EAST HIGHWAY 50, ROCKY FORD, COLORADO.	APPLICATION NO. 21404-Transfer
IN THE MATTER OF THE APPLICATION OF PHIL K. BEMAN AND ETHEL BEMAN, DOING BUSINESS AS "BEMAN MOTORS," BOX 526, EAST HIGHWAY 50, ROCKY FORD, COLORADO, FOR AUTHORITY TO TRANSFER PERMIT NO. B-6496 TO BEMAN MOTORS TRANSPORTATION, INC., BOX 526, EAST HIGHWAY 50, ROCKY FORD, COLORADO.	APPLICATION NO. 21405-PP-Transfer

September 16, 1965

Appearances: Joseph F. Nigro, Esq., Denver, Colorado, for Transferor and Transferee;
Michael T. Corcoran, Esq., Denver, Colorado, for Joe Verquer, Sr., doing business as "Verquer Truck Line;"
Robert P. Grueter, Esq., Denver, Colorado, for Red Ball Motor Freight, Inc.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Heretofore Phil K. Beman and Ethel Beman, doing business as "Beman Motors," Rocky Ford, Colorado, were granted the following operating rights:

PUC No. 641 and PUC No. 641-I:

Transportation of freight and express between LaJunta and Trinidad and intermediate points, as well as a general transfer, moving and cartage business, or "anywhere for hire service," within a radius of fifty miles of Thatcher; freight, between all points in the

State of Colorado and the Colorado state boundary lines, where all highways cross same in interstate commerce, only, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended. Amendment: transportation, in line-haul service, of freight and express, from Trinidad, Colorado, to Rocky Ford, Colorado, via LaJunta, and return via State Highway No. 71 as an alternate route, excluding service between Rocky Ford and LaJunta, Trinidad and Rocky Ford and Swink, in competition with Weicker Transfer and Storage Company; livestock and farm products, from all points within a fifty mile radius of Thatcher, Colorado, to all points in the State of Colorado, and from all points in the State of Colorado, to all points within a fifty mile radius of Thatcher, Colorado.

PUC No. B-6496:

Transportation of bulk feed (except molasses and other liquid animal feeds), used for feeding livestock, in truck-load lots, from farms, ranches, and elevators in Baca, Prowers, Kiowa, Cheyenne, Bent, Crowley, and Otero Counties, to feed lots owned, controlled, or operated by Wilhelm-Mancini, at its locations near Rocky Ford, Otero County, Colorado; transportation of bulk feed (except molasses and other liquid animal feeds), in truck-load lots, belonging to Wilhelm-Mancini, from Longmont and Denver, Colorado, to its feed lots near Rocky Ford, Otero County, Colorado.

By the above-styled applications, said Phil K. Beman and Ethel Beman, doing business as "Beman Motors," Rocky Ford, Colorado, seek authority to transfer said operating rights to Beman Motors Transportation, Inc., Rocky Ford, 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.

Report of the Examiner states that at the hearing Randall L. Allmendinger, Manager of Beman Motors, the owner of PUC No. 641, PUC No. 641-I and Permit No. B-6496, testified that Beman Motors had been a partnership owned and operated by Phil K. Beman and Ethel Beman.

Recently Ethel Beman, the mother of Phil K. Beman, died. Prior to her death, she executed an instrument assigning all of her right, title and interest in and to the authorities to Phil K. Beman, who has now caused to be created a corporation known as "Beman Motors Transportation, Inc." This witness identified Exhibit A as a certificate by the Secretary of State relative to the corporate status of Beman Motors Transportation, Inc. He also stated that filed with the application is a financial statement of Beman Motors Transportation, Inc. and the By-Laws of this corporation. Mr. Allmendinger testified that the purpose of forming the corporation is to transfer ownership of PUC No. 641 and I and Permit No. B-6496 to the corporation which would continue to operate under these authorities.

Mr. Allmendinger testified to the liability of Beman Motors in the approximate sum of $4,200.00 to Joe Verquer, Sr., who was formerly the owner of both the authorities. He stated that the corporation has indicated in its application before the Commission it will assume this liability and agrees to pay this amount. He stated that the reason this obligation had not been paid sooner was that flood conditions had substantially decreased business. He also stated that all equipment presently used to operate under these authorities is being transferred to the corporation and, in his opinion, there is sufficient equipment to perform the required transportation requests.

Mr. Allmendinger stated that Phil K. Beman is President of the Transferee Corporation and that he, Randall L. Allmendinger, is the Vice President, James C. Montgomery is the Secretary and Treasurer. Mr. Allmendinger further stated that Phil K. Beman, now the sole owner of the authorities sought to be transferred, will be the principal stockholder. Also, Rosemary Allmendinger and James C. Montgomery will be stockholders in consideration of interest which they held in Beman Motors.

Mr. Michael T. Corcoran, attorney for Joe Verquer, Sr.,

stated that he is appearing in protest in order to make certain the money due and owing his client would be forthcoming. Mr. Corcoran questioned Mr. Allmendinger regarding this matter and Mr. Allmendinger stated that on behalf of the transferee, he would state that Beman Motors Transportation, Inc. would assume to pay this obligation. It was also noted that this particular obligation is not secured by a chattel mortgage on either of the authorities sought to be transferred.

Mr. Robert P. Grueter, attorney for Red Ball Motor Freight, Inc., stated that his purpose in appearing is to request that the authority granted under PUC No. 641 and I be now clarified to delete from the authority the name of Weicker Transfer and Storage Company, and in its place, insert PUC No. 8 and I. Mr. Grueter explained that Weicker Transfer and Storage Company no longer owns the authority referred to in PUC No. 641 and I and that Red Ball Motor Freight, Inc. owns this authority at this time, but in order to eliminate the possibility of further changes in PUC No. 641 and I, it would be advisable to insert PUC No. 8 and I. A stipulation was thereupon entered into on behalf of the Transferor and Transferee and on behalf of Red Ball Motor Freight, Inc., to amend PUC No. 641 and I to delete the name Weicker Transfer and Storage Company therefrom and insert in its place PUC No. 8 and I.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record, exhibits and files and the written statement of the Examiner herein, states and finds that transferee corporation 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 transferee has agreed to assume and pay the obligations of the transferor including the sum of approximately $4,200.00 to Joe Verquer, Sr.; that the proposed transfers are compatible with the

public interest, and should be authorized, as set forth in the Order following; and that the authority under PUC No. 641 and I should be amended as set forth in the stipulation herein.

O R D E R

THE COMMISSION ORDERS:

That Phil K. Beman and Ethel Beman, doing business as "Beman Motors," Rocky Ford, Colorado, be, and hereby are, authorized to transfer all right, title, and interest in and to PUC No. 641 and PUC No. 641-I, to Beman Motors Transportation, Inc., subject to encumbrances against said operating rights, if any, approved by this Commission; said operating rights henceforth to be and read as follows:

> "Transportation of freight and express between LaJunta and Trinidad and intermediate points, as well as a general transfer, moving and cartage business, or "anywhere for-hire service," within a radius of fifty miles of Thatcher; freight, between all points in the State of Colorado and the Colorado State boundary lines, where all highways cross same in interstate commerce, only, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.
>
> "Amendment: Transportation, in line haul service of freight and express, from Trinidad, Colorado, to Rocky Ford, Colorado, via LaJunta, and return via State Highway No. 71 as an alternative route, excluding service between Rocky Ford and LaJunta, Trinidad and Rocky Ford and Swink, in competition with PUC 8 and I; livestock and farm products, from all points within a fifty mile radius of Thatcher, Colorado, to all points in the State of Colorado, and from all points in the State of Colorado, to all points within a fifty mile radius of Thatcher, Colorado."

Interstate rights herein authorized to be transferred subject to the Federal Motor Carrier Act of 1935, as amended.

That Phil K. Beman and Ethel Beman, doing business as "Beman Motors," Rocky Ford, Colorado, be, and hereby are, authorized to transfer all right, title and interest in and to Permit No. B-6496 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Beman Motors Transportation, Inc., Rocky Ford, 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 Transferors and transferee, in writing, have advised the Commission that said permit has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of this Order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

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

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

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

The tariff of rates, rules and regulations of Transferors shall, upon proper adoption notice, become and remain those of

Transferee until changed according to law and the rules and regulations of this Commission.

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER RALPH C. HORTON
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 16th day of September, 1965.

ls

(Decision No. 65867)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF LEO EUGENE SPRADLIN, 3740 JAY STREET, WESTMINSTER, COLORADO, AND CHRISTIAN HARRY NELSON, 4764 FEDERAL BOULEVARD, DENVER, COLORADO, CO-PARTNERS, DOING BUSINESS AS "A.A.A. DELIVERY," 3740 JAY STREET, WESTMINSTER, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 21397-PP

September 16, 1965

Appearances: John R. Barry, Esq., Denver, Colorado, for Applicants;
John P. Thompson, Esq., Denver, Colorado, for Boulder-Denver Truck Line;
Joseph F. Nigro, Esq., Denver, Colorado, for Acme Delivery Service, Inc.;
David Butler, Esq., Denver, Colorado, for Colorado Transportation and Colorado Motor Way, Inc., as their interests may appear.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the above-styled application, Applicants herein sought a Class "B" permit to operate as a private carrier by motor vehicle for hire, for the transportation of printed matter, motion picture film, and related items, between points within a radius of thirty miles of the intersection of Colfax Avenue and Broadway Street, Denver, Colorado, for the Mountain States Telephone and Telegraph Company, only.

Said application was regularly set for hearing before the Commission, and an Examiner was duly designated to conduct hearing on said application, he thereafter to submit a report of said proceedings to the Commission.

Report of the Examiner states that at the hearing Mr. John

R. Barry, Attorney for the Applicants, moved to dismiss the herein application on the grounds that said application was no longer being supported by Mountain States Telephone and Telegraph Company.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that said motion should be granted and that the instant application should be dismissed, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Application No. 21397-PP be, and the same hereby is, dismissed.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER RALPH C. HORTON
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 16th day of September, 1965.

ls

(Decision No. 65868)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF MRS. CHARLES H. BUHRING, MRS. REBA CRONIGER AND MRS THELMA F. JOHNSON 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. 21410

September 16, 1965

Appearances: D. D. Cawelti, Esq., Denver, Colorado, for Public Service Company of Colorado;
Paul M. Brown, 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. Charles H. Buhring and others, representing themselves and all other customers similarly situated, for an order authorizing Public Service Company of Colorado (Public Service) 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 September 10, 1965, at 9:00 o'clock A.M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, and was heard on a consolidated hearing with Applications No. 21412 and No. 21413.

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 was circulated among the residents of an area in which 78 customers now receive electric service. Of the 78 customers, signatures were obtained of 60, or a percentage of 76.9% of the total number of customers. 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 Public Service 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 17 customers did not sign, Public Service could not install street lights without an order of the Commission.

Principal spokesman for Applicants was Mrs. Thelma F. Johnson. Mrs. Johnson 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 six other persons who are residents of the area.

Mr. J. H. Ranniger, an engineer, in the Rate Department of Public Service, testified the area met all requirements of the tariff conditions, except the number of signers. Upon an Order of this Commission, Public Service 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 $1,060 which will be provided from internal funds of Public Service.

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 requires 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 12 in number, shall be installed as required in the area described as follows:

> Beginning at the point on the center line of Lowell Boulevard where the south line extended of the lot numbered as 6396 Lowell Boulevard intersects said center line, thence north along said center line of Lowell Boulevard to the intersection with the north line extended of the tract (presently vacant) northerly of the lot numbered as 6500 Lowell Boulevard, thence east along said north lot line and its continuance, which is the north lot lines of the lots north of West 65th Avenue, to the northeast corner of the lot numbered

as 3313 West 65th Avenue; thence south along the east line of said lot, across West 65th Avenue and continuing south along a portion of the east lot line of the lot numbered as 3310 West 65th Avenue to the southwest corner of the lot at the southwest corner of the intersection of West 65th Avenue and Irving Street; thence east along the south side of said lot, across Irving Street and continuing along the north lines of the lots numbered as 3295 and 3289 Hawthorne Place to the northeast corner of said lot numbered as 3289 Hawthorne Place; thence south along the east lot lines of the lots numbered as 3289 Hawthorne Place, 3280 Hawthorne Place, and 3285 West 64th Avenue and 3280 West 64th Avenue to the southwest corner of said last-named lot; thence west along the south side of said lot and the other lots south of West 64th Avenue, across Julian Street, to the southwest corner of the lot numbered as 3400 West 64th Avenue; thence south along the east lot lines of the lots east and southeasterly of Knox Court to the southeast corner of the lot numbered as 6320-6326 Knox Court; thence west along the south line of said last-named lot and the lot numbered as 6311-6321 Knox Court to the southwest corner thereof; thence north along the west side of said lot and other lots west of Knox Court to the southwest corner of the lot numbered as 6353-6361 Knox Court; thence west along the south lot line of the lot numbered as 3580 West 64th Avenue and the south lot line of the lot numbered as 6396 Lowell Boulevard extended 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

COMMISSIONER RALPH C. HORTON
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 16th day of September, 1965.

ls

(Decision No. 65869)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF MRS. E. E. SHELHAMER, MRS. PAUL PHILLIPS AND MRS. L. J. CARPENTER 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. 21413

September 16, 1965

Appearances: D. D. Cawelti, Esq., Denver, Colorado, for Public Service Company of Colorado;
P. M. Brown, 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. E. E. Shelhamer and others, representing themselves and all other customers similarly situated, for an order authorizing Public Service Company of Colorado (Public Service) 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 September 10, 1965, at 9:00 o'clock A.M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, and was heard on a consolidated hearing with Applications No. 21410 and No. 21412.

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 was circulated among the residents of an area in which 149

customers now receive electric service. Of the 149 customers, signatures were obtained of 131, or a percentage of 87.9% of the total number of customers. 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 Public Service 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 17 customers did not sign, Public Service could not install street lights without an order of the Commission.

Principal spokesman for Applicants was Mrs. E. E. Shelhamer. Mrs. Shelhamer 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 nine other persons who are residents of the area.

Mr. J. H. Ranniger, an engineer, in the Rate Department of Public Service, testified the area met all requirements of the tariff conditions, except the number of signers. Upon an Order of this Commission, Public Service 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 P.U.C. 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 $4,220 which will be provided from internal funds of Public Service.

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 requires 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 26 in number, shall be installed as required in the area described as follows:

> Beginning at the intersection of the center line of West 20th Avenue with the extended rear lot lines of the lots west of Miller Court; thence north along said rear lot lines to the center line of the irrigation ditch abutting the rear lot lines of the lots south of West 22nd Place; thence westerly along said center line to the intersection with the center line of the Agricultural Ditch; thence northwesterly along said last-named center line and northerly along the westerly line of the lot numbered as 2265-75 Nelson Place to the northwesterly corner of said last-named lot; thence easterly and southeasterly along the northerly and northeasterly lot lines

of the lot numbered as 2285-2295 Nelson Place to the easterly corner thereof; thence easterly along the northerly lot line of the lot numbered as 2315 Nelson Court, across Nelson Court and continuing easterly along the northerly lot lines of the lots northerly of West 23rd Place and southeasterly along the northeasterly lot line of the lot numbered as 10530 West 23rd Place extended to the center line of Miller Street; thence north along said center line to the intersection with the center line of West 25th Avenue; thence West along said center line to the intersection with the west lot line extended of lot numbered as 10419-39 West 25th Avenue; thence north along said lot line to the northwest corner of said lot; thence east along the north line of said last-named lot extended across Miller Street to the west line of the lot numbered as 2510 Miller Street; thence north along a portion of said west lot line and the west lot line of the lot (presently vacant) immediately to the north along Miller Street, to the northwest corner of said last-described vacant lot; thence east along the north lot lines of said last-described lot and the lots numbered as 2575 and 2595 Lewis Court to the northeast corner of said last-named lot; thence south along the east lines of said 2595 Lewis Court and the lot numbered as 2550 Lewis Court extended to the center line of West 25th Avenue; thence east along said center line to the intersection with the extended east lot lines of the lots east of Lee Street; thence south along said east lot lines to the center line of the ditch which abuts the northerly lot lines of the lots northerly of West 23rd Avenue; thence northeasterly along the center line of said ditch extended to the center line of Kipling Street; thence south along said center line to the intersection with the extended southeasterly lot lines of the lots southeasterly of West 23rd Avenue; thence southwesterly along said last-named lot lines to the northeasterly corner of the lot numbered as 2280 Lee Street; thence south to the southeast corner of said lot; thence west along the south line thereof, across Lee Street and continuing west along the south line of the lot numbered as 10220 West 23rd Avenue to the southwest corner thereof; thence south along the east lot lines of the lots east of Lewis Street to the southeast corner of the lot numbered as 2220 Lewis Street; thence west along the south line of said lot and the south lot lines of the lots numbered as 2225 Lewis Street, 2220 Miller Street, and 2225 Miller Street to the southwest corner of said last-named lot; thence along the east lot lines of the lots east of Miller Court extended to the center line of West 20th Avenue; thence west along said center line 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

COMMISSIONER RALPH C. HORTON
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 16th day of September, 1965.

ls

(Decision No. 65870)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF MR. JACK L. STRAUSS, MRS. MARILYN HAHN AND MRS. J. R. MANNING, 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. 21412

September 16, 1965

Appearances: D. D. Cawelti, Esq., Denver, Colorado, for Public Service Company of Colorado;
P. M. Brown, 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. Jack L. Strauss and others, representing themselves and all other customers similarly situated, for an order authorizing Public Service Company of Colorado (Public Service) 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 September 10, 1965, at 9:00 o'clock A.M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, and was heard on a consolidated hearing with Applications No. 21410 and No. 21413.

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 was circulated among the residents of an area in which 75 customers now receive electric service. Of the 75 customers, signatures were obtained of 63, or a percentage of 84% of the total number of customers. 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 Public Service 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 11 customers did not sign, Public Service could not install street lights without an order of the Commission.

Principal spokesman for Applicants was Mr. Jack L. Strauss. Mr. Strauss 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.

Also present in support of the application, though not testifying were eight other persons who are residents of the area.

Mr. J. H. Ranniger, an engineer, in the Rate Department of Public Service, testified the area met all requirements of the tariff conditions, except the number of signers. Upon an Order of this Commission, Public Service 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 P.U.C. 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 $1,226 which will be provided from internal funds of Public Service.

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 requires 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 11 in number, shall be installed as required in the area described as follows:

> Beginning at the intersection of the center line of Teller Street with the extension of the south lot line of the lot numbered as 2405 Teller Street; thence west along said south lot line to the southwest corner of said lot; thence north along the west lot lines of the lots west of Teller Street to the intersection with the center line of West 25th Avenue; thence east along said center line to the intersection with the extended west lot lines of the lots west of Teller Street north

of West 25th Avenue; thence north along said west lot lines to the northwest corner of the lot numbered as 2565 Teller Street; thence east along the north line of said lot extended to the center line of Teller Street; thence north along said center line to the extended north line of the lot numbered as 2570 Teller Street; thence east along said north lot line and to the northeast corner of said lot; thence north along the west lot lines of the lots west of Saulsbury Street, across West 26th Avenue and continuing north along the west lot line of the lot numbered as 7095-97 West 26th Avenue to the northwest corner thereof; thence east along the north lines of said lot and the lots numbered as 2605 and 2610 Reed Street to the northeast corner of said last-named lot; thence south along the east line of said 2610 Reed Street, across West 26th Avenue, and continuing south along the east line of the lot numbered as 7080 West 26th Avenue and the lot immediately to the south thereof (presently vacant) to the southeast corner thereof; thence west along a portion of said last-named lot to the northeast corner of the lot numbered as 2560 Saulsbury Street; thence south along the east lot lines of the lots east of Saulsbury Street to the southeast corner of the lot numbered as 2540 Saulsbury Street to the southeast corner thereof; thence east along the north line of the lot numbered as 2449 Reed Street, across Reed Street and continuing east along the north line of the lot (presently vacant) directly east of said 2449 Reed Street to the northeast corner thereof; thence south along the east lot lines of the lots east of Reed Street to the southeast corner of the lot numbered as 2450 Reed Street; thence west along a portion of the south line of said lot to the northeast corner of the lot numbered as 6913 West 24th Avenue; thence south along the east line of said last-named lot extended to the center line of West 24th Avenue; thence west along said center line to the intersection with the extended east line of the lot numbered as 7000 West 24th Avenue; thence south along said east line to the southeast corner of said last-named lot; thence west along the south lot lines of the lots south of West 24th Avenue to the intersection with the center line of Teller Street; thence north 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

COMMISSIONER RALPH C. HORTON
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 16th day of September, 1965.

SUSPENSION ORDER--PRIVATE CARRIER (Decision No 65871)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
Ivan McDaniel)
P O Box 3) PERMIT NO. B-5676
Parlin, Colorado 81239)
)

September 15, 1965

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-5676 be further suspended for six months from August 9, 1965

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 Ivan McDaniel
P O Box 3, Parlin, Colorado 81239

be, and is hereby, authorized to further suspend his operations under Permit No. B-5676 until February 9, 1966

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
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 15th day of September, 19 65

(Decision No. 65872)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
)
)
Ernie Duncan) PERMIT NO. B-4457-I
226 East 23rd Street)
Kearney, Nebraska)

September 17, 1965

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Ernie Duncan, 226 E. 23rd St., Kearney, Nebraska requesting that Permit No. B-4457-I be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-4457-I, heretofore issued to Ernie Duncan, 226 East 23rd St., Kearney, Nebraska be, and the same is hereby, declared cancelled effective September 16, 1965

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 September, 1965

(Decision No. 65873)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
)
)
Gardner Construction Co.,) PERMIT NO. B-4404
940 South 10th)
Grand Junction, Colo 81501)

September 17, 1965

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Gardner Construction Co., 940 So. 10th Grand Junction Colorado, 81501 requesting that Permit No. B-4404 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-4404, heretofore issued to Gardner Construction Co., 940 South 10th St., Grand Junction, Colo be, and the same is hereby, declared cancelled effective July 1, 1965

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,

this 17th day of September, 19 65

CANCELLATION--COMMON CARRIER

(Decision No. 65874)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
Jay Britton)
302 N. E. 1st Avenue)
Perryton, Texas)
)

PUC NO. 4515-I

September 17, 1965

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Jay Britton, 302 N. E. 1st Avenue, Perryton, Texas requesting that Certificate of Public Convenience and Necessity No. 4515-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. 4515-I heretofore issued to Jay Britton, 302 N. E. 1st Avenue, Perryton, Texas be, and the same is hereby, declared cancelled effective August 11, 1965

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 17th day of September, 19 65

CANCELLATION--COMMON CARRIER

(Decision No. 65875)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
Irvin A. Anthony) PUC NO. 6339-I
2414 Avenue G)
Scottsbluff, Nebraska)
)

September 17, 1965

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Irvin A. Anthony, 2414 Avenue G, Scottsbluff, Nebraska requesting that Certificate of Public Convenience and Necessity No. 6339-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. 6339-I heretofore issued to Irvin A. Anthony, 2414 Avenue G, Scottsbluff, Nebraska be, and the same is hereby, declared cancelled effective July 21, 1965

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 September, 1965

CANCELLATION--COMMON CARRIER

(Decision No. 65876)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
Lester W. Stephen) PUC NO. 5787-I
Dighton, Kansas)
)
)

September 17, 1965

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Lester W. Stephen, Dighton, Kansas requesting that Certificate of Public Convenience and Necessity No. 5787-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. 5787-I heretofore issued to Lester W. Stephen, Dighton, Kansas be, and the same is hereby, declared cancelled effective August 13, 1965

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 September, 19 65

CANCELLATION--COMMON CARRIER

(Decision No. 65877)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
Leonard Burress)
6522 Woodrow Avenue)
St. Louis 21, Mo.)
)

PUC NO. 6164-I

September 17, 1965

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Leonard Burress, 6522 Woodrow Avenue, St. Louis 21, Mo. requesting that Certificate of Public Convenience and Necessity No. 6164-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. 6164-I heretofore issued to Leonard Burress, 6522 Woodrow Avenue, St. Louis 21, Mo. be, and the same is hereby, declared cancelled effective July 1, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 17th day of September, 19 65

CANCELLATION--COMMON CARRIER

(Decision No. 65878)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
Robert I. Hebel and Walter A. S) PUC NO. 6362-I
Smith)
1225 16th St.,)
Golden, Colorado 80401)

September 17, 1965

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Robert I. Hebel and Walter A. Smith 1225 16th St., Golden, Colorado 80401 requesting that Certificate of Public Convenience and Necessity No. 6362-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. 6362-I heretofore issued to Robert I. Hebel & Walter A. Smith 1225 - 16th St., Golden, Colo be, and the same is hereby, declared cancelled effective August 10, 1965

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Harold S. Bjelland

Robert C. Horton

Commissioners

Dated at Denver, Colorado,
this 17th day of September, 19 65

CANCELLATION--COMMON CARRIER

(Decision No. 65879)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
Keaton-Andrew Truck Line, Inc.) PUC NO. 5700-I
4905 Calhoun)
Houston, Texas)
)

September 17, 1965

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Keaton-Andrew Truck Line, Inc. 4905 Calhoun, Houston, Texas requesting that Certificate of Public Convenience and Necessity No. 5700-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. 5700-I heretofore issued to Keaton-Andrew Truck Line, Inc., 4905 Calhoun, Houston, Texas be, and the same is hereby, declared cancelled effective August 4, 1965

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard L. Bjel[illegible]

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,
this 17th day of September, 19 65

CANCELLATION--COMMON CARRIER

(Decision No. 65880)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
Robert Parker)
PO Box 35)
Evans, Colo 80620)
)

PUC NO. 678

September 17, 1965

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Robert Parker, PO Box 35, Evans, Colorado 80620 requesting that Certificate of Public Convenience and Necessity No. 678 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. 678 heretofore issued to Robert Parker, PO Box 35, Evans, Colorado 80620 be, and the same is hereby, declared cancelled effective June 1, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 17th day of September, 19 65

CANCELLATION--COMMON CARRIER

(Decision No. 65881)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
Robert Parker)
P O Box 35)
Evans, Colorado 80620)
)

PUC NO. 5892

September 17, 1965

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Robert Parker, P O Box 35, Evans, Colorado 80620 requesting that Certificate of Public Convenience and Necessity No. 5892 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. 5892 heretofore issued to Robert Parker, P O Box 35, Evans, Colorado be, and the same is hereby, declared cancelled effective June 1, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard L. Bjelland
Ruth C. Horton
Commissioners

Dated at Denver, Colorado,
this 17th day of September, 19 65

CANCELLATION--COMMON CARRIER

(Decision No. 65882)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
M & M Trucking Co.,) PUC NO. 6375-I
8302 Dudley)
San Antonio, Texas)
)

September 17,1965

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from M & M Trucking Co., 8302 Dudley, San Antonio, Texas requesting that Certificate of Public Convenience and Necessity No. 6375-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. 6375-I heretofore issued to M & M Trucking Co., 8302 Dudley, San Antonio, Texas be, and the same is hereby, declared cancelled effective July 14, 1965.

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 September, 19 65

CANCELLATION--COMMON CARRIER

(Decision No. 65883)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
Howard Bernard)
Rte 1)
Parks, Nebraska)
)

PUC NO. 5995-I

September 17,1965

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Howard Bernard, Rte 1, Parks, Nebraska requesting that Certificate of Public Convenience and Necessity No. 5995-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. 5995-I heretofore issued to Howard Bernard, Rte 1, Parks, Nebraska be, and the same is hereby, declared cancelled effective July 3, 1965

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 September, 19 65

CANCELLATION--COMMON CARRIER

(Decision No. 65884)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
H. Mapelli & Sons, Inc.,) PUC NO. 3363-I
PO Box 5103 T.A.)
Denver, Colorado 80217)
)

September 17,1965

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from H. Mapelli & Sons, Inc., PO Box 5103 T.A., Denver, Colorado 80217 requesting that Certificate of Public Convenience and Necessity No. 3361-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. 3361-I heretofore issued to H. Mapelli & Sons, Inc., P O Box 5103 T.A., Denver, Colorado 80217 be, and the same is hereby, declared cancelled effective August 12, 1965

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 September, 19 65

CANCELLATION--COMMON CARRIER

(Decision No. 65885)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
B & L Trucking Co.) PUC NO. 6152-I
700 Lomita Drive)
El Paso, Texas)
)

September 17, 1965

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from B & L Trucking Co., 700 Lomita Drive, El Paso, Texas requesting that Certificate of Public Convenience and Necessity No. 6152-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. 6152-I heretofore issued to B & L Trucking Co., 700 Lomita Drive, El Paso, Texas be, and the same is hereby, declared cancelled effective June 30, 1965

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 17th day of September, 19 65

(Decision No. 65886)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF DENVER-COLORADO SPRINGS-PUEBLO MOTORWAY, INC., 2450 CURTIS STREET, DENVER, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AUTHORIZING EXTENSION OF OPERATIONS UNDER PUC NO. 48.

APPLICATION NO. 21402-Extension

September 16,1965

Appearances: John R. Barry, Esq., Denver, Colorado, for Applicant;
Louis Johnson, Esq., Colorado Springs, Colorado, for Colorado Springs Coach Company;
Ben S. Wendelken, Esq., Colorado Springs, Colorado, for Pikes Peak Automobile Company;
David Butler, Esq., for Colorado Transportation Company, Colorado Motor Way, Inc., and Denver-Boulder Bus Company.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the above-styled application, Applicant herein seeks authority to extend operations under PUC No. 48 to include the right to serve the off route point The Flying W Ranch, west of Colorado Springs, Colorado, on a call and demand basis.

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 of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, Mr. Lloyd K. Roberts, Director of Sales for the Applicant corporation, testified that the

Applicant operates under PUC No. 48 and I. He stated that the purpose of the within application is to extend this authority to include the right to serve the off-route point, the Flying W Ranch west of Colorado Springs, Colorado on a call and demand basis. Mr. Roberts stated that PUC No. 48 and I does provide for charter service between Denver and the Flying W Ranch. However, under this provision of its authority, the charter rate must be charged for the vehicle. If the applied for extension is granted, the Applicant will be able to transport persons to the Flying W. Ranch from Denver on a per capita basis. He related that this charge would be in the public interest and certainly a convenience since his company has had numerous requests to provide this transportation on a per capita basis to groups both large and small. He stated that if the within application is approved, the tariff for this transportation between Denver and the Flying W Ranch will be promptly filed with the Public Utilities Commission.

Mr. Roberts identified Applicant's Exhibit A as a map of the Colorado Springs area showing the location of the Flying W Ranch, being a cross mark in the upper left-hand corner of the map. He identified Applicant's Exhibits B and C as advertising material of the Flying W Ranch which describes its general operation. He also identified Applicant's Exhibits D and E as copies of Ordinances relating to annexation to Colorado Springs. The above exhibits were received in evidence.

On cross examination by Mr. Louis Johnson on behalf of Protestant Colorado Springs Coach Company, Mr. Roberts acknowledged that Colorado Springs Coach Company has the authority to transport passengers on a per capita basis from Colorado Springs to the Flying W Ranch. Mr. Roberts stated, however, that his company, although it has authority to Colorado Springs from Denver on a per capita basis, it has not had occasion to recommend to persons seeking transportation to the Flying W Ranch to interchange with the Colorado Springs Coach Company at Colorado Springs. He indicated that this might be an inconvenience for most people who only want to go to the Flying W Ranch by bus in the quickest time possible.

Mr. Ben S. Wendelken, on behalf of Protestant Pikes Peak Automobile Company, questioned Mr. Roberts regarding the intent of the application now for hearing. Mr. Roberts stated specifically that the requested authority was for the right to transport from Denver to the Flying W Ranch and return, and the application was not intended to request authority to transport on a per capita basis from Colorado Springs to the Flying W Ranch.

Mr. David Butler, on behalf of the Protestants he represents, determined from the witness that the charter rate for a 41-passenger bus is 65¢ per mile to and from the Flying W Ranch. Mr. Roberts also stated that he would not have authority to agree not to protest if one of the other common carriers in Denver, who has charter authority to the Flying W Ranch at the present time, would make a similar application.

Mr. Russell Wolf, Colorado Springs, Colorado, stated that he is the owner and operator of the Flying W Ranch, and that his basic interest in supporting the withing application is for the purpose of fully providing for the transportation needs of persons who ask for transportation from Denver, Colorado to the Flying W Ranch. Mr. Wold stated that the Flying W Ranch is operated for the purpose of providing a western chuckwagon dinner and western atmosphere and they can serve in excess of 1,000 people each evening. He stated that the ranch is open to the public beginning the first Monday in June through Labor Day of each year. At other times during the year, it is open to conventions and special groups who wish to use its facilities.

Mr. Gunnar Alenius, Colorado Springs, Colorado, Vice President of the Pikes Peak Automobile Company, testified that his company owns PUC No. 116 and serves the Flying W Ranch on a sightseeing per capita basis from Colorado Springs only. Mr. Alenius on cross examination stated that his company has no authority to serve the Flying W Ranch on a per capita basis from Denver.

I. B. James, Denver, Colorado, stated that he is President and principal stockholder of the Colorado Transportation Company, Colorado Motor Way, Inc. and the Denver-Boulder Bus Company. He stated that his

company has charter authority to transport passengers to the Flying W Ranch and also owns a sightseeing authority to transport sightseers to various points in the Colorado Springs and surrounding area including the Flying W Ranch on a per capita basis. He related that his companies do not have authority to charge on a per capita basis for direct transportation between Denver and the Flying W Ranch. Mr. James was of the opinion that it would be harmful to his operations if the per capita rate charge for transportation between Denver and the Flying W Ranch is less than the breakdown per passenger for charter. Mr. James also indicated in his testimony, if the within application is granted, he perhaps would apply for the same authority on behalf of the companies he represents.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record, exhibits and files and the written statement of the Examiner herein, states and finds that Applicant corporation presently owns PUC No. 48 and PUC No. 48-I which includes charter service from Denver to the Flying W Ranch; that it would be in the public interest and a matter of convenience to persons asking direct transportation between Denver and the Flying W Ranch and return to be able to pay for such transportation on a per capita basis; that no other common carrier presently has such authority; that present or future public necessity requires or will require the proposed extended service of the Applicant; that Applicant has sufficient equipment and operating experience with which to render and to conduct the proposed extended service; that Applicant's financial standing is established to the satisfaction of the Commission; and that the proposed extended motor vehicle common carrier transportation service should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Denver-Colorado Springs-Pueblo Motorway, Inc., be, and hereby is, authorized to extend operations under PUC No. 48 and PUC No. 48-I to

include the right to serve the off-route point, the Flying W Ranch west of Colorado Springs, Colorado, on a call and demand basis, from Denver, Colorado, and return; 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 hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER RALPH C. HORTON NECESSARILY

ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 16th day of September, 1965

et

(Decision No. 65887)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF MOORE & MOORE MOVING & STORAGE COMPANY, INC., 4206 MADISON, DENVER, COLORADO, FOR AUTHORITY TO TRANSFER PUC NO. 334 AND PUC NO. 334-I TO ACADEMY VAN AND STORAGE, INC., 4206 MADISON, DENVER, COLORADO.

APPLICATION NO. 21406-Transfer

September 16,1965

Appearances: John H. Lewis, Esq., Denver, Colorado, and Leonard R. Liss, Esq., Denver, Colorado, for Transferor and Transferee; Joseph F. Nigro, Esq., Denver, Colorado, for Colorado Transfer & Warehousemen's Association, as its interest may appear.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Heretofore Moore & Moore Moving & Storage Company, Inc., was granted the following operating rights:

PUC NO. 334 AND PUC NO. 334-I

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, and occasional service throughout the State of Colorado. 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. Dec.#41895 authorizes the establishment of an office in the City of Englewood, Colorado, for the conduct of operations under PUC No. 334 and PUC No. 334-I; conduct of a transfer, moving and general cartage business from point to point in the City and County of Denver; 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 Moore & Moore Moving & Storage Company, Inc., seeks authority to transfer said operating rights to Academy Van & Storage, Inc., 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 of said proceeding, together with a written statement of his findings of fact and conclusions.

Mr. William R. Moore, Denver, Colorado, testified that he is the President of Moore and Moore Moving and Storage Company, Inc., located at 4206 Madison Street, Denver, Colorado. He identified Applicant's Exhibit A as a contract by which it was agreed that PUC No. 334 and I, together with certain equipment, as itemized on an equipment schedule attached to Applicant's Exhibit A, would be sold to Academy Van and Storage, Inc., a Colorado corporation. The agreed purchase price is $27,500.00 payable in installments as shown on the attachment to Exhibit A. The contract does provide, however, if the unpaid balance of the purchase price is paid in full on or before December 1, 1965, there will be a $2500.00 credit against the face value of the promissory note involved in the transaction. Mr. Moore also identified Applicant's Exhibit B as a promissory note to be secured by a chattel mortgage on PUC No. 334 and I and further stated, the Applicant is asking Commission approval to place this chattel mortgage on this PUC Certificate. Mr. Moore also testified that the Public Utilities Commission has given temporary authority to Academy Van and Storage Company, Inc.to operate under PUC No. 334 and I. Mr. Moore stated that he has actively operated under the certificate up until the present time and that the operation has shown a profit. He stated, in his opinion, the purchase price is reasonable and Academy Van and Storage, Inc. had personnel sufficiently experienced in transportation work to effectively operate under the certificate. Mr. Moore related that there are no outstanding or past due obligations, and except for the chattel mortgage referred to in the fourth paragraph of page 2, the transfer would be made on a debt free basis.

Mr. George W. Wiederspan testified that he is the President of Academy Van & Storage, Inc., a Colorado corporation, recently created for the purpose of purchasing the business of Moore and Moore Moving 7 Storage, Inc. and operating under PUC No. 334 and I. He identified Applicant's Exhibit C as a copy of a certificate from the Secretary of State regarding the corporate status of the transferee. He also identified Applicant's Exhibits D and E as an equipment list and financial statement respectively of Academy Van and Storage, Inc. He also stated that the transferee company will continue to do business at 4206 Madison Street, Denver, Colorado, and that the transferee is presently operating under Certificate No. 334 and I by authority, of a temporary permit issued by the Public Utilities Commission.

Mr. Wiederspan advised that he, in addition to being President, would be General Manager and that he has had approximately 50 years experience in the transportation business and feels that he is well qualified to operate under this certificate. Mr. Wiederspan, with reference to Applicant's Exhibit D (an equipment list), stated that his company has purchased two additional vehicles and ordered another vehicle. He stated the Transferee will have sufficient and suitable equipment to accommodate the needs of the public who call upon it for transportation service. He further stated, in his opinion, the company is well financed and in this regard, will be able to fully and completely serve the public. Mr. Wiederspan stated that he, as well as other members of the transferee company, are acquainted with the rules, regulations and laws of the State of Colorado pertaining to common carriers and that such rules, regulations and laws will be carefully followed.

Mr. Wiederspan, with respect to the financial status of the transferee company, related that he has considerable personal resources which could also be put to use in assisting the transferee company's operations.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record, exhibits 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 corporation 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 transfer is compatible with the public interest, and should be authorized, as set forth in the Order following; and that the chattel mortgage herein should be approved.

O R D E R

THE COMMISSION ORDERS:

That Moore & Moore Moving & Storage Company, Inc., Denver, Colorado, be, and hereby is, authorized to transfer all right, title and interest in and to PUC No. 334 and PUC No. 334-I -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Academy Van & Storage, Inc., Denver, Colorado, subject to encumbrances against said operating rights, if any, approved by this Commission.

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

That said Academy Van and Storage, Inc., Denver, Colorado, be, and hereby is, authorized to mortgage all right, title and interest in and to PUC No. 334 and PUC No. 334-I, to William R. Moore to secure payment of the sum of $27,500.09 as set forth in Chattel Mortgage on file with 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 certificate has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order, to be by them or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of this Order, shall automatically

revoke the authority herein granted to make the transfer, without further order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER RALPH C. HORTON
NECESSARILY ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 16th day of September, 1965

et

(Decision No. 65888)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
C. T. L., INC., 3455 EAST 52ND)
AVENUE, DENVER, COLORADO.)

PERMIT NO. B-2376

September 16,1965

STATEMENT AND FINDINGS OF FACT

By the Commission:

The Commission is in receipt of a Request for Waiver of Rule 25 (a) of Rules and Regulations Governing Private Carriers by Motor Vehicle from the above-styled permit-holder, owner and operator of Permit No. B-2376, requesting a written waiver from the Commission in lieu of filing a bond covering payment of C.O.D. collections to shippers, in operations under said Permit No. B-2376.

Rule 25 (a) of Rules and Regulations Governing Private Carriers by Motor Vehicle, effective June 1, 1960, provides that:

> "No Private Carrier shall accept any C.O.D. shipments or otherwise collect money from any consignee to be paid to the consignor, unless such carrier shall have on file with the Commission cash or a Surety Bond in an amount not less than $2,000, in such form as the Commission may prescribe, conditioned upon the true and prompt payment of any such C.O.D. or other collections by the carrier to the consignor. Said Surety Bond shall authorize the Commission summarily to apply any part or all of the amount thereof to the payment of any C.O.D. or other collection account owed by the carrier to any consignor, which the carrier has not paid within ten (10) days after the receipt thereof."

From the records of the Commission, it does not appear that Applicant's financial statement on file with the Commission warrants granting of waiver requested.

The Commission states and finds that said request should be denied.

O R D E R

THE COMMISSION ORDERS:

That request of C.T.L., Inc., Denver, Colorado, for written waiver of the provisions of Section (a) of Rule 25 of Rules and Regulations Governing Private Carriers by Motor Vehicle in operations under Permit No. B-2376 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

COMMISSIONER RALPH C. HORTON NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 16th day of September, 1965

et

(Decision No. 65889)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF LITTLE JOE RENTALS, INC., A COLORADO CORPORATION, 9620 WEST 26TH AVENUE, LAKEWOOD, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE AS A COMMON CARRIER BY MOTOR VEHICLE FOR HIRE.	APPLICATION NO. 21102-Amended
IN THE MATTER OF THE APPLICATION OF LITTLE JOE RENTALS, INC., A COLORADO CORPORATION, 9620 WEST 26TH AVENUE, LAKEWOOD, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.	APPLICATION NO. 21102-PP-Amended

September 16, 1965

Appearances: John H. Lewis, Esq., Denver, Colorado, for Applicant;
Royce D. Sickler, Esq., Denver, Colorado, for Rio Grande Motor Way, Inc.;
Robert D. Means, Esq., Denver, Colorado, for Keller H. Light, as his interest may appear.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Applicant herein sought a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire, for the transportation of farm produce, except livestock, between points within five miles of Denver, Colorado, on the one hand, and, on the other, points in Colorado, except those within an area bounded on the north by U. S. Highway 24, and bounded on the west by U. S. Highway 85.

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 of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, Mr. John H. Lewis, Attorney for Applicant, on behalf of the Applicant, moved to restrict the application and to amend the application by seeking a Class "B" permit to operate as a private carrier by motor vehicle for hire for the:

> "Transportation of fresh fruits and vegetables, between points in Denver and a 5-mile radius thereof on the one hand, and on the other, points in Colorado on and north of U. S. Highway 24 and on and west of U. S. Highway 85. This transportation to be restricted to the use of refrigerated equipment only and for the following customers only: 1. United Fruit Growers Association; 2. Mountain Lion; 3. United Marketing Association; 4. Palmer and Son; 5. Schmilding Bros; and 6. Colorado Potato Growers Exchange."

The above motion being a motion to restrict the authority applied for was granted and thereupon Royce D. Sickler, attorney for Protestant, stated that the protest of Rio Grande Motor Way, Inc. would be withdrawn.

Mr. Harold D. Cox, President of Little Joe Rentals, Inc., a Colorado corporation, testified that his company now operates under PUC No. 5766 and I and specializes in the transportation of fresh farm produce. He stated that his company has 10 years experience in this type of transportation which requires specialized equipment, specialized loading procedures and experienced handling. Mr. Cox stated that his company provides this transportation service in interstate commerce between the West Coast and Colorado.

With reference to the amendment to the application made by this Applicant, Mr. Cox advised that it was satisfactory to him and that at the present time, his company is serving the customers listed in interstate commerce. The within application is being made for the purpose of providing intrastate service to the same customers who have indicated an urgent need therefor.

In the handling of fresh fruits and vegetables, Mr. Cox testified that it was necessary to have available and to provide transportation service

at all times and seven days a week. He cited as an example the transportation requirements during the peach harvest on the Western Clope of Colorado. He stated that retailers are now requiring ripen fruit and that therefore, in order to accommodate the market requirements, transportation facilities must be available at the point fresh peaches are picked on the Western Slope with immediate delivery to Denver, Colorado, for market distribution to retailers. Mr. Cox stated that his company has a net worth of approximately $35,600.00 and is financially able to furnish any additional refrigerated equipment as may be needed by customers. He stated also that the personnel of the Applicant company is well acquainted with the rules, regulations and laws of the State of Colorado pertaining to private and common carriers and that adequate insurance as required by the Commission has been arranged.

Mr. John A. Deeter, Denver, Colorado, stated that he is Assistant Manager of the brokerage firm of H. I. Deeter and Son Brokerage Company. This company deals in fresh fruits and vegetables and acts as a broker between the producers and the distributors. He stated that his company represents the proposed customers of the Applicant and that these customers need a hauler who has the experience and equipment to provide proper and expeditious service. He stated that fresh fruit particularly, must be handled with the utmost care by persons experienced in loading and unloading such commodities. The transportation thereof must be in properly maintained refrigerated units and the transportation must be completed from point of origin to market as quickly as possible. He indicated that frequently during the peach harvest on the Western Slope refrigerated units must be loaded on Sunday and must travel to Denver immediately for the Denver market early Monday morning. Mr. Deeter stated that he is well acquainted with the qualifications of the Applicant to perform this type of service and that for this reason, he is supporting the within application.

Mr. Dennis S. Papst, Traffic Manager for the Potato Growers Exchange, testified that he supports the within application on the grounds that from his own knowledge, he knows the Applicant has the required experience and

equipment to provide for the transportation of fresh fruits and vegetables. Mr. Papst stated that his company deals in the distribution and transportation of potatoes and onions and in order to accommodate the Denver market, transportation must be timed to arrive at the Denver outlets in the early morning hours of each day. Mr. Papst said that his company presently uses the transportation services of the Applicant in interstate commerce but now additionally needs a hauler with experience and equipment to provide for certain of its intrastate needs. Mr. Papst stated that he knows of no other common carrier who can provide for or is willing to provide for this specialized transportation needs as previously indicated.

The motion to restrict and amend the instant application to seek Class "B" private carrier authority granted by the Examiner is hereby confirmed.

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 as amended; that there is a need for Applicant's proposed transportation services; that Applicant corporation will have sufficient equipment and experience to properly carry on the proposed amended operation; that Applicant's financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the 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; and that the granting of 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 Little Joe Rentals, Inc., Lakewood, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the

"Transportation of fresh fruits and vegetables, between points in Denver and a five-mile radius thereof on the one hand, and on the other, points in Colorado on and north of U. S. Highway 24 and on and west of U. S. Highway 85. This transportation to be restricted to the use of refrigerated equipment only and for the following customers only: 1. United Fruit Growers Association; 2. Mountain Lion; 3. United Marketing Association; 4. Palmer and Son; 5. Schmilding Bros.; and 6. Colorado Potato Growers Exchange."

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 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 hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER RALPH C. HORTON
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 16th day of September, 1965.

et

(Decision No. 65890)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF DONALD L. BATSON, 246 EAST DOUGLAS, CANON CITY, COLORADO, FOR AUTHORITY TO EXTEND OPERATIONS UNDER PERMIT NO. B-6685.

APPLICATION NO. 21374-PP-Extension

September 17, 1965

Appearances: Donald L. Batson, Canon City, Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Applicant herein seeks authority to extend operations under Permit No. B-6685.

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 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 the application, stating that if the extended authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

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 the proposed extended operation; that applicant's financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the 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 the granting of authority, as provided in the following Order, will be in the public interest, and such authority should be granted.

O R D E R

THE COMMISSION ORDERS:

That Donald L. Batson, Canon City, Colorado, be, and hereby is, authorized to extend operations under Permit No. B-6685 to include the transportation of logs, poles and timber products, from forests to sawmills, places of storage, and loading points within a radius of 100 miles of said forests; rough lumber, from sawmills in said 100-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.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER RALPH C. HORTON
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 17th day of September, 1965.

(Decision No. 65891)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF FRANK SMITH, 6544 HIGHWAY 2, BOX 5, COMMERCE CITY, COLORADO, FOR AUTHORITY TO EXTEND OPERATIONS UNDER PERMIT NO. B-6748.

APPLICATION NO. 21417-PP-Extension

September 17, 1965

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the above-styled application, Applicant seeks authority to extend operations under Permit No. B-6748 to include the transportation of natural fertilizer, between points within a radius of 50 miles of Denver, Colorado.

Said application was regularly set for hearing before the Commission, and an Examiner was duly designated to conduct hearing on said application, 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, there being no protestants present, the files were made a part of the record and the matter was taken under advisement.

Report of the Examiner further states that from the files and other inquiry, it appears that Applicant has ample and suitable equipment, sufficient net worth and operating experience with which to conduct his proposed extended 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 Applicant's proposed extended transportation services; that Applicant will have sufficient equipment and experience to properly carry on the proposed extended operation; that Applicant's financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the proposed extended operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general route, or routes; and that the granting of the extended 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 Smith, Commerce City, Colorado, be, and hereby is, authorized to extend operations under Permit No. B-6748 to include the transportation of natural fertilizer, between points within a radius of 50 miles of Denver, Colorado; 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

COMMISSIONER RALPH C. HORTON
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 17th day of September, 1965.

(Decision No. 65892)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF MAC BICKLING, DOING BUSINESS AS "BRIGHTON CAB," 148 BUSH STREET, BRIGHTON, COLORADO, FOR AUTHORITY TO TRANSFER PUC NO. 1791 TO WILMA M. BRYANT AND BOURDETTE BRYANT, DOING BUSINESS AS "BRIGHTON-NORTHGLENN CAB," 151 SOUTH 16TH AVENUE, BRIGHTON, COLORADO.

APPLICATION NO. 21468-Transfer

September 17, 1965

Appearances: Mac Bickling, Brighton, Colorado, pro se;
Bourdette Bryant, Brighton, Colorado, pro se.

S T A T E M E N T

By the Commission:

Mac Bickling, doing business as "Brighton Cab," Brighton, Colorado, is the owner and operator of PUC No. 1791, authorizing:

> Transportation of passengers and their hand baggage, in cabs of not to exceed five-passenger capacity, between points in the area within a radius of ten miles of, and including, the City of Brighton, and from points in same radius, to Denver, Stapleton Airport, Lafayette, and Boulder, Colorado, and return -- that is, transportation of passengers and their hand baggage from Denver, Stapleton Airport, Lafayette and Boulder, to points in said ten-mile area, including Brighton, is limited to (and in connection with), round trip service, only, where passenger is taken from said area to Denver, Stapleton Airport, Lafayette, or Boulder, and returned in the same vehicle, with waiting time of not to exceed one hour at Denver, Stapleton Airport, Lafayette, or Boulder, Colorado. DEC. #59826: Extended; to include the right to transport packages, parcels, baggage, messages, letters, and documents, from points and places in Brighton, Colorado, on the one hand, to points and places in Brighton, Colorado, on the other hand, and a ten-mile radius thereof, including Brighton, provided that such service shall be performed by taxicab, only, upon items not exceeding one hundred pounds in weight, with a delivery charge for said service from one point of origin to one point of destination not being less than for a passenger between the same points;

and by the instant application seeks authority to transfer said PUC No. 1791 to Wilma M. Bryant and Bourdette Bryant, doing business as "Bright-Northglenn Cab," Brighton, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, on September 16, 1965, and at the conclusion of the evidence, the matter was taken under advisement.

Mac Bickling testified that he is the owner and operator of PUC No. 1791. He has operated this taxi cab authority for about seven years. There is no indebtedness against the certificate. He has entered into an agreement to sell his two cabs and some other miscellaneous office equipment, and PUC No. 1791 to Wilma M. Bryant and Bourdette Bryant, doing business as "Brighton-Northglenn Cab." The total amount of consideration if $5,000, of which $2,500 has been paid. The remaining $2,500 will be paid half upon the approval of the transfer by the Commission and the remaining half within one year thereafter. He has known Bourdette Bryant for about five years. Bryant has had over twelve years' experience with one company as a truck driver. In Bickling's opinion, Bryant will do a good job of rendering cab service to the public. The contract entered into by and between the parties and on file with the Commission was identified by Bickling.

Bourdette Bryant testified that he has a net financial worth in excess of $80,000 as shown by his financial statement on file with the Commission. He has had almost twenty years' experience in truck driving. He has been operating under temporary authority in the rendition of taxi cab service under PUC No. 1791 for the past two weeks. He is familiar with the rules and regulations of the Commission and the statutes of the State of Colorado and will comply therewith if the authority sought herein is granted. Both parties requested the Commission to approve the transfer.

No one appeared in opposition to the proposed transfer.

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

F I N D I N G S

THE COMMISSION FINDS:

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

O R D E R

THE COMMISSION ORDERS:

That Mac Bickling, doing business as "Brighton Cab," Brighton, Colorado, be, and hereby is, authorized to transfer all right, title, and interest in and to PUC No. 1791 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Wilma M. Bryant and Bourdette Bryant, doing business as "Brighton-Northglenn Cab," Brighton, 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 the Order shall automatically revoke the authority herein granted to make the transfer, without further Order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER RALPH C. HORTON
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 17th day of September, 1965.

ls

(Decision No. 65893)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF DENVER-CLIMAX TRUCK LINES, INC., 1380 UMATILLA STREET, DENVER, COLORADO.	PUC NO. 257, PUC No. 1195, PUC NO. 1195-I, PERMIT NO.B-6530

September 17, 1965

STATEMENT AND FINDINGS OF FACT

By the Commission:

Denver-Climax Truck Lines, Inc., Denver, Colorado, owner of PUC No. 257, PUC No. 1195, PUC No. 1195-I, and Permit No. B-6530, herein seeks authority to mortgage said operating rights to the Small Busines Administration, and agency of the United States Government, to secure payment of the sum of $50,000.00 Disaster Loan, in accordance with the terms and conditions set forth in Chattel Mortgage, dated September 10, 1965, which by reference is 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 Denver-Climax Truck Line, Inc., Denver, Colorado, be, and hereby is, authorized to mortgage all right, title and interest in and to PUC No. 257, PUC No. 1195, PUC No. 1195-I, and Permit No. B-6530, to the Small Business Administration, an agency of the United States Government, to secure payment of the sum of $50,000.00 Disaster Loan, 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

COMMISSIONER RALPH C. HORTON
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 17th day of September, 1965

et

(Decision No. 65894)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF TRI-STATE GENERATION AND TRANSMISSION ASSOCIATION, INC., A COLORADO CORPORATION, 611-17 MAJESTIC BUILDING, DENVER, COLORADO, FOR AN ORDER AUTHORIZING THE EXECUTION AND DELIVERY OF A CERTAIN NOTE OR NOTES SECURED BY A MORTGAGE OBLIGATION TO THE UNITED STATES OF AMERICA.

APPLICATION NO. 21377-Securities

September 17, 1965

Appearances: Ralphael J. Moses, Esq., Boulder, Colorado, and John J. Conway, Esq., Denver, Colorado, for Applicant; Robert P. Fullerton, Assistant Attorney General, Denver, Colorado, for the Staff of the Commission.

S T A T E M E N T

By the Commission:

By this application filed with the Commission August 4, 1965, Tri-State Generation and Transmission Association, Inc. (Tri-State) seeks authority from this Commission to issue a mortgage note or notes in the principal aggregate amount of $6,880,000, 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.

On this same date, August 4, 1965, Tri-State filed also Application No. 21378-Securities for authority to issue another mortgage note for the purpose of acquiring certain transmission properties at original cost of Y-W Electric Association, Inc., the exact amount of which is not known at this time but is estimated to be in the neighborhood of $340,000; also on this date Tri-State filed with the Commission Application No. 21379 for authority to construct and operate 27 miles of 115 KV transmission line from Idalia to Burlington, Colorado.

In view of the fact that these three applications of Tri-State have to do with the construction and acquisition of a proposed inter-connected transmission system to serve its member electric cooperatives located in Colorado, Nebraska and Wyoming, these matters were set for hearing, after due notice to all interested parties, on August 18, 1965 at 9:00 o'clock A.M. in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. Such notice included all members of Tri-State being furnished electric power in Colorado. Tri-State agreed to notify all its members operating outside Colorado. At such time and place the applications were heard on a consolidated record by the Commission and at the conclusion thereof were taken under advisement. A separate decision and order is issued for each of these applications.

No protests were filed with the Commission with regard to these applications and no one appeared at the hearing in opposition to the granting of the authorities sought.

Applicant's counsel asked that the Commission take official notice of the Articles of Incorporation of Tri-State Generation and Transmission Association, Inc., certified to by the Secretary of the State of Colorado, Exhibit A, attached to the application.

Applicant is a corporation organized and existing under and by virtue of the laws of the State of Colorado, and is engaged in the wholesale furnishing of electric power and energy to only its members within and without the State of Colorado. Tri-State was incorporated May 19, 1952 and commenced operations October 1, 1957. It is managed by a board of nine directors, three being elected from each State. Officers of Tri-State consist of a president, vice president, secretary, and treasurer, all elected directors. Operations are directed by a manager, who is not a director. The present members of applicant now being served and the general service area of each are as follows:

NAME	GENERAL SERVICE AREA
Highline Electric Association	Logan, Sedgwick, Phillips, Washington, and Yuma Counties, Colorado; and Chase and Perkins Counties, Nebraska.
K. C. Electric Association	Kit Carson, Lincoln, and Cheyenne Counties, Colorado.
Morgan County Rural Electric Association	Morgan, Weld, Washington, and Logan Counties, Colorado
Mountain Parks Electric, Inc.	Jackson, Grand, Larimer, and Summit Counties, Colorado, and Albany County, Wyoming.
Mountain View Electric Association, Inc.	Lincoln, Elbert, Washington, and El Paso Counties, Colorado.
Poudre Valley Rural Electric Association, Inc.	Larimer, Boulder, and Weld Counties, Colorado.
Union Rural Electric Association, Inc.	Adams, Boulder, Clear Creek, Gilpin, Weld, and Jefferson Counties, Colorado.
Y-W Electric Association, Inc.	Yuma and Washington Counties, Colorado.
Chimney Rock Public Power District	Morrill and Scottsbluff Counties, Nebraska.
Gering Valley Rural Public Power District	Scottsbluff County, Nebraska
The Midwest Electric Membership Corporation	Perkins, Lincoln, Keith, Deuel, and Chase Counties, Nebraska.
Northwest Rural Public Power District	Dawes and Sheridan Counties, Nebraska.
Panhandle Rural Electric Membership Association	Box Butte, Sheridan, Garden, Grant, Arthur, Hooker, and Cherry Counties, Nebraska.
Roosevelt Public Power District	Scottsbluff and Sioux Counties, Nebraska.
Wheatbelt Public Power District	Cheyenne, Morill, Deuel, and Garden Counties, Nebraska.
Big Horn Rural Electric Company	Big Horn and Washakie Counties, Wyoming.
Carbon Power & Light, Inc.	Carbon and Albany Counties, Wyoming.
Garland Light & Power Company	Park County, Wyoming

NAME	GENERAL SERVICE AREA
Hot Springs County Rural Electric Association, Inc.	Hot Springs, Washakie, Fremont, Natrona, and Carbon Counties, Wyoming.
Niobrara Electric Association, Inc.	Niobrara and Platte Counties, Wyoming, and Sioux County, Nebraska.
Riverton Valley Electric Association, Inc.	Fremont County, Wyoming.
Rural Electric Company, Inc.	Laramie and Albany Counties, Wyoming; Kimball, Banner, Cheyenne, and Morrill Counties, Nebraska; and Weld and Logan Counties, Colorado.
Sheridan-Johnson Rural Electrification Association	Sheridan and Johnson Counties, Wyoming and Big Horn County, Montana.
Shoshone River Power, Inc.	Park County, Wyoming.
Washakie Rural Electric Company	Washakie County, Wyoming.
Wheatland Rural Electric Association, Inc.	Platte, Goshen, and Laramie Counties, Wyoming.
Wyrulec Company	Platte, and Goshen Counties, Wyoming, and Banner County, Nebraska.

Two other members of Tri-State not receiving power from Tri-State at this time are Sangre De Cristo Electric Association, Inc., which supplies electrical energy to its consumers in Lake, Chaffee, Fremont and Custer Counties in Colorado; and San Luis Valley Rural Electric Cooperative, Inc., which distributes electricity to its consumers in Alamosa, Conejos, Rio Grande, Mineral, Costilla, and Saguache Counties in Colorado.

Shortly before Tri-State commenced serving its member cooperatives, the Rural Electrification Administration approved a loan of $9,968,000 May 14, 1956 for the construction of a 44,000 KW steam generating plant and 20 miles of 115 KV transmission line. These facilities were not constructed. The R.E.A. in its letter June 9, 1965 to Mr. Arthur J. Schnose, President of Tri-State, notified Tri-State that the funds earmarked for the steam generating plant have now been

established in Tri-State's budget for the construction of transmission facilities required to meet Tri-State's needs through 1969, based on its present plan of power supply. As a result of this revision, $6,880,000, originally provided in this "A" loan for generation facilities which will not be required under the current plan, has been transferred to transmission purposes. The remaining sum of $3,088,000, representing "A" loan generation funds not presently earmarked for any specific purposes, are held in control until such time as R.E.A. has approved the use of such funds for other specific purposes. The construction of the Ogallala, Nebraska-Wray, Colorado 115 KV line and Idalia-Burlington, Colorado 115 KV transmission line and related facilities, for which funds have been established in the revised "A" loan budget, is dependent on the Y-W Electric Association, Inc. transferring ownership of 28 miles of 115 KV transmission line between Wray and Idalia, Colorado with related terminal and substation facilities to Tri-State in consideration for which Tri-State would assume a portion of Y-W's loan obligation to the U. S. Government. Rural Electrification Administration also informed Tri-State in this letter that since both Tri-State and Y-W have passed board resolutions indicating agreement to the proposed transfer, actual consummation of the transaction has not been made a condition which must be met prior to release of funds from special control. However, R.E.A. expects transfer of these facilities prior to the advance of loan funds for construction of the 115 KV facilities mentioned above.

A copy of this letter of June 9, 1965 and a copy of the proposed loan contract between Tri-State Generation and Transmission Association, Inc. and United States of America dated as of May 8, 1956, were attached to the Application as Exhibit E-1 but not entered into evidence. Applicant's counsel asked that the Commission take official notice of these two documents. This loan contract provides, among other things, that "the Government shall lend and the Borrower shall borrow presently an amount not in excess of $9,968,000, to finance,

pursuant to the provisions of the Act, the construction and operation of an electric system consisting of electric generating facilities and electric transmission lines and facilities, and all substations, transformers, meters and other equipment necessary for the efficient operation thereof, to be located in rural areas in the Counties of Logan, Morgan, Washington and Weld in the State of Colorado and in counties contiguous to any of said counties in the States of Colorado, Nebraska and Wyoming."

Applicant's witness, Wendell J. Garwood, Manager of Tri-State, testified generally as to the present operation of Tri-State and the proposed construction, acquisition, operation, and ownership of an inter-connected interstate transmission system to better serve its members located in the States of Colorado, Nebraska, and Wyoming. Mr. Garwood stated that the proposed transmission system is required because of the deteriorating voltage conditions on the various segments of transmission facilities now being used to deliver power to the distribution members of Tri-State. Additional required transmission facilities are not going to be provided by the U. S. Bureau of Reclamation and thus it is up to Tri-State and its cooperative members to provide such necessary electric transmission facilities to improve the present overload condition and to provide capacity for future growth. It is the policy of Tri-State to purchase transmission facilities from members when it believes such ownership would be beneficial and the members are willing to transfer such properties.

Mr. Garwood stated that the present source of power was the U. S. Bureau of Reclamation, Western Division of the Missouri Basin Project but that about November 1, 1965, 200 megawatt additional thermal generating capacity would be available by the Basin Electric Power Cooperative at Stanton, North Dakota. Tri-State is a member of Basin and thus will share in such power source interconnected through Bureau of Reclamation transmission facilities. Tri-State is also a member of

the Rocky Mountain Power Pool. Power from the Bureau is purchased by Tri-State under contract and is delivered over the Bureau's lines or wheeled to 25 delivery points in Colorado, Nebraska and Wyoming. At the present time, Tri-State owns no generation or transmission facilities.

Mr. Garwood sponsored and testified briefly to Exhibit A-1, Tri-State's proposed contract with its member cooperatives which was introduced into evidence; the earmarking of the $9,968,000 of R.E.A. funds contained in R.E.A.'s letter to Mr. Schnose, President of Tri-State, June 9, 1965, and the loan contract dated as of May 8, 1956, not entered into evidence; the mortgage note form, Exhibit F, and the transfer agreement between Y-W Electric Association, Inc. and Tri-State Generation and Transmission Association, Inc. and the United States of America, dated as of August 18, 1865, Exhibit F-2, admitted in evidence. The transfer agreement, Exhibit F-2, has been executed by Tri-State and by Y-W but not yet by the administrator of R.E.A.

Mr. Garwood stated that at the present time, Tri-State did not propose to organize and maintain a high voltage maintenance department to service the proposed 115 KV transmission lines. Tri-State proposes to utilize the transmission maintenance crews and facilities of the distribution cooperatives. The capital expenditures for the improvement of the transmission and delivery facilities, as proposed, will spread the cost of financing between the several distribution cooperative members. This spreading of the cost is indicative of the advantage of cooperative generation and transmission operations for its member cooperatives.

In response to questions from the Staff, Mr. Garwood provided data which indicated that of the total $6,880,000, approximately $1,168,000 of the funds to be obtained from this borrowing would be expended in the State of Colorado. These funds would be expended for the construction of the proposed 27-mile transmission line from Idalia to Burlington, subject of Tri-State's Application No. 21379, for

approximately 29 miles of transmission line from Wray, Colorado, northeasterly to the Colorado-Nebraska state line and for a major switching station at Wray, Colorado. This estimate of the funds to be expended in Colorado under the authority in the Order to follow will be the basis for the certificate authorizing the issuance of this indebtedness, Chapter 115-6-5, Colorado Revised Statutes, 1953.

Applicant's witness, William E. Trommershausen, Supervising Executive Engineer, R. W. Beck and Associates, Consulting Engineers, testified to Tri-State's problem of improving its transmission and delivery of power to its consumers as incorporated in the engineering report Power Supply and Transmission Study for Tri-State Generation and Transmission, Inc. dated February, 1965, prepared by R. W. Beck and Associates. This engineering report was introduced into evidence as Exhibit H. Also introduced into evidence and sponsored by Mr. Trommershausen was a map of the transmission grid of Tri-State in Colorado, Wyoming, and Western Nebraska. Mr. Trommershausen explained in detail the facilities now used to deliver power to the distribution members, voltage deficiencies, and other service problems involved, and set forth the recommendations to meet the power and transmission requirements of Tri-State over a ten-year period 1966 - 1976, including the construction of the facilities indicated on the map, Exhibit E, and the acquisition of the Y-W properties already constructed and in operation. Mr. Trommershausen stated that the estimated cost of power to the distribution members, after the installation of the proposed transmission facilities, would be approximately 7 mills.

Applicant's witness Alan A. Kaun, Office Manager of Tri-State, sponsored and testified briefly to the financial statements of Tri-State, consisting of the balance sheet as of May 31, 1965, Exhibit D; statement of revenues, expense and margins for the 12 months ending May 31, 1965, Exhibit C; a schedule of patronage capital credits 1957 to 1964, Exhibit B; and the pro forma statement of capital structure of Tri-State, Exhibit G, including long term debt of $6,880,000, and

Exhibit G revised, including long term debt of $6,880,000 for new construction, and long term debt of $340,000 for the acquisition of the Y-W transmission properties.

F I N D I N G S

THE COMMISSION FINDS:

That applicant, Tri-State Generation and Transmission Association, Inc., and Y-W Electric Association, Inc., are public utilities as defined by Section 115-1-3, Colorado Revised Statutes, 1953.

That this Commission has jurisdiction over said applicants and the subject matter of this application.

That this Commission is fully advised in the premises.

That the foregoing Statement be, and it is hereby adopted as part of the findings herein.

That the issuance by Tri-State Generation and Transmission Association, Inc. of a mortgage note in the amount of $6,880,000 to the United States of America substantially in the same form as Exhibit F herein, should be authorized and approved.

That the authorization and approval above granted should apply only to that portion of the expenditures of borrowed funds by applicant within the State of Colorado.

That within one hundred twenty (120) days of the execution of the mortgage note authorized herein, applicant should file with the Commission one conformed copy of such executed note and the mortgage securing same.

That the issuance of such mortgage note authorized herein 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 by Tri-State Generation and Transmission

Association, Inc. of a mortgage note in the amount of $6,880,000 to the United States of America substantially in the same form as Exhibit F herein, be, and the same is hereby, authorized and approved.

That the authorization and approval above granted shall apply only to that portion of the expenditures of borrowed funds by applicant within the State of Colorado.

That within one hundred twenty (120) days of the execution of the mortgage note authorized herein, Tri-State Generation and Transmission Association, Inc. shall file with the Comission one conformed copy of such executed note and copy of the mortgage securing such note.

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 retain jurisdiction of these proceedings to the end that it may make such further order or orders in the premises as to it may seem 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

COMMISSIONER RALPH C. HORTON
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 17th day of September, 1965.

ls

(Decision No. 65895)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF TRI-STATE GENERATION AND TRANSMISSION ASSOCIATION, INC., 611-17 MAJESTIC BUILDING, DENVER, COLORADO, FOR AN ORDER AUTHORIZING THE CONSTRUCTION AND OPERATION OF CERTAIN ELECTRIC FACILITIES.

APPLICATION NO. 21379

September 17, 1965

Appearances: Raphael J. Moses, Esq., Boulder, Colorado, and John J. Conway, Esq., Denver, Colorado, for Applicant; Robert P. Fullerton, Assistant Attorney General, 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 Tri-State Generation and Transmission Association, Inc. (Tri-State) for authority to construct, operate and maintain a 115 Kv transmission line extending from Idalia, Colorado to Burlington, Colorado. At the same time this application was filed, applications for the approval of securities to be issued by Tri-State No. 21377 and No. 21378 also were filed. All matters were set for hearing on Wednesday, August 18, in the Hearing Room of the Commission, 532 States Services Building, Denver, Colorado, at 9:00 o'clock A.M.

No protests were filed prior to the hearing and no one appeared at the hearing to intervene. Applications No. 21377 and No. 21378 and this application were heard on a consolidated record.

Tri-State is a non-profit cooperative corporation organized and existing under and by virtue of the laws of the State of Colorado. Its Articles of Incorporation as amended to date are in the record. It is a wholesale power supplier to borrowers from the Rural Electrification

Administration and supplies power to cooperatives, membership corporations and public power districts. It presently operates in the States of Nebraska, Wyoming and Colorado. This Commission has jurisdiction over its operations only within the State of Colorado. It furnishes electric power and energy to its members, of which there are 7 in Nebraska, 12 in Wyoming and 10 in Colorado. Two of the 10 Colorado members no longer obtain their power requirements from Tri-State. Their power requirements are obtained from other sources. In Colorado power is supplied to Highline Electric Association, K. C. Electric Association, Morgan County Rural Electric Association, Mountain Parks Electric, Mountain View Electric Association, Poudre Valley Rural Electric Association, Inc., Union Rural Electric Association, Inc., and the Y-W Electric Association, Inc. All of these serve substantially in the east-central and northeast sections of Colorado. An exception is Mountain Parks Electric, which serves in the Middle Park area of Colorado.

Exhibit A-1 is the wholesale power contract executed separately with each member and under which power and energy is furnished to the member utilities. Tri-State as yet does not own any facilities for generation or transmission of power. It was formed for the purpose of generating and supplying power to its members at a time when it appeared they would need more power than their supplier could furnish. However, up to the present time, sufficient capacity has been available from the Western Division of the Missouri Valley Basin of the Bureau of Reclamation (Bureau). Presently all of the firm power available from the Missouri Basin has been contracted for and additional power for the members of Tri-State to furnish constantly increasing loads will have to be obtained. Currently contracts have been entered into with the Upper Colorado River Storage Project of the Bureau and from the Basin Electric Power Cooperative (Basin) located at Stanton, North Dakota. The power to be received from the Upper Colorado River Storage Project is hydro power and is available only for delivery to members in Colorado and Wyoming, and the power to be received from Basin is thermal power to be delivered to members in Nebraska. Presently, all

power and energy is delivered to the members of Tri-State over the facilities of the Bureau transmission lines and through wheeling agents.

Tri-State engaged the services of R. W. Beck & Associates to make a 10-year study of the power supply and delivery requirements of Tri-State. This study was received in evidence in this hearing as Exhibit H and shows in complete detail the recommendations of the independent engineer. Among other things, the study discloses that the facilities of the Bureau have become so loaded that to supply additional power capacity will require additional transmission facilities. The Bureau has no plans to either build additional transmission lines or to increase capacity of existing transmission lines. These lines are radial in nature; that is, they extend from a central point outward like the fingers of a hand, to the delivery points, and the ends of these fingers are not tied together. The recommendations are that these ends be tied together by the construction of transmission lines by Tri-State to enable it to fulfill its obligation to satisfactorily supply all of the requirements of its members.

Exhibit E is a map which shows the existing facilities of the Bureau and the proposed construction to be made in the initial part of the 10-year period to reinforce Bureau facilities to deliver power to Tri-State members. One factor supporting the recommendation of this method of supplying future power requirements is that a loop transmission system will be developed which will minimize power outages to the distributing cooperatives so that alternate sources of feed can be made available from the loop system. In a radial system, any faults developing on the transmission line result in the elimination of the power supply until the faults are found and corrected. Thus, this method of construction operates to eliminate or at least reduce the period of power outages.

The total proposal contemplates in Colorado the acquisition by Tri-State of the existing 115 Kv transmission line between Wray and Idalia and the construction of an extension of this transmission line from Idalia to Burlington and it is this section of the transmission line with related facilities for which the certificate of public convenience and

necessity is sought herein. All of the power receiving members should benefit from these facilities.

Estimated cost of construction of this section of transmission line, which will be approximately 27 miles in length, is $378,000. The construction is to be financed from monies borrowed from the R.E.A., approval for which borrowing is sought by Tri-State in its Application No. 21378.

The operating costs of Tri-State are now met by the imposition of a surcharge of 1/10 of one mill per kilowatt hour above the cost of the energy purchased from the Bureau. As above indicated, present purchases are from the Western Division of the Missouri River Basin. The power to be obtained from the Upper Colorado River Storage Project is at a different rate and the power to be purchased from Basin is at still another rate. Presently the average cost of power to the members is 6¼ mills per kilowatt hour. With the addition of the transmission lines and facilities contemplated to be built, plus the increased cost of power to be purchased from the Colorado River Storage Project and the Basin Thermal Plant plus operating and maintenance costs, delivered power costs will necessarily be increased and it is now estimated by Applicant that such revised power costs will approximately 7 mills per kilowatt hour.

New power contract agreements extending to the year 2005 have been entered into with the member cooperatives not only extending the term of the power purchase agreements but also providing the fact that increased costs will of necessity require from time to time an adjustment in rates. These rates will be subject to approval by this Commission. It is proposed to adjust the rates from time to time as may be required by the 10-year construction and power purchase program being entered upon by Tri-State.

F I N D I N G S

THE COMMISSION FINDS:

That Tri-State is a public utility subject to the jurisdiction of this Commission with respect to its operations in the State of Colorado.

That the Commission has jurisdiction of Tri-State and of the subject matter herein.

necessity is sought herein. All of the power receiving members should benefit from these facilities.

Estimated cost of construction of this section of transmission line, which will be approximately 27 miles in length, is $378,000. The construction is to be financed from monies borrowed from the R.E.A., approval for which borrowing is sought by Tri-State in its Application No. 21378.

The operating costs of Tri-State are now met by the imposition of a surcharge of 1/10 of one mill per kilowatt hour above the cost of the energy purchased from the Bureau. As above indicated, present purchases are from the Western Division of the Missouri River Basin. The power to be obtained from the Upper Colorado River Storage Project is at a different rate and the power to be purchased from Basin is at still another rate. Presently the average cost of power to the members is $6\frac{1}{4}$ mills per kilowatt hour. With the addition of the transmission lines and facilities contemplated to be built, plus the increased cost of power to be purchased from the Colorado River Storage Project and the Basin Thermal Plant plus operating and maintenance costs, delivered power costs will necessarily be increased and it is now estimated by Applicant that such revised power costs will be approximately 7 mills per kilowatt hour.

New power contract agreements extending to the year 2005 have been entered into with the member cooperatives not only extending the term of the power purchase agreements but also reflecting the fact that increased costs will of necessity require from time to time an adjustment in rates. These rates will be subject to approval by this Commission. It is proposed to adjust the rates from time to time as may be required by the 10-year construction and power purchase program being entered upon by Tri-State.

F I N D I N G S

THE COMMISSION FINDS:

That Tri-State is a public utility subject to the jurisdiction of this Commission with respect to its operations in the State of Colorado.

That the Commission has jurisdiction of Tri-State and of the subject matter herein.

That to provide for the electric power and energy requirements and to improve the continuity of supply to the member cooperatives in Colorado, the construction of transmission lines tying together the ends of the radial lines of the Bureau is necessary and is in the public interest.

That Public Convenience and Necessity require the construction of approximately 27 miles of 115 Kv transmission line and related facilities from Idalia to Burlington, Colorado, and a certificate of public convenience and necessity should be granted therefor.

O R D E R

THE COMMISSION ORDERS:

That Tri-State be, and hereby is, authorized to construct a 115 Kv transmission line of approximately 27 miles in length, and related facilities, between Idalia and Burlington, Colorado, and this ORDER shall be, and is, a CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY therefor.

That Tri-State shall keep its records and accounts in accordance with the Uniform System of Accounts as prescribed by this Commission and that Tri-State shall conduct its operations in accordance with the Rules of this Commission, Regulating the Service of Gas and Electric Utilities.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER RALPH C. HORTON
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 17th day of September, 1965

(Decision No. 65896)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF TRI-STATE GENERATION AND TRANSMISSION ASSOCIATION, INC., A COLORADO CORPORATION, 611-17 MAJESTIC BUILDING, DENVER, COLORADO, FOR AN ORDER AUTHORIZING THE EXECUTION AND DELIVERY OF A CERTAIN NOTE OR NOTES SECURED BY A MORTGAGE OBLIGATION TO THE UNITED STATES OF AMERICA.

APPLICATION NO. 21378-Securities

September 17,1965

Appearances: Raphael J. Moses, Esq., Boulder, Colorado, and
John J. Conway, Esq., Denver, Colorado, for Applicant;
Robert P. Fullerton, Assistant Attorney General, Denver, Colorado, for the Staff of the Commission.

S T A T E M E N T

By the Commission:

By this application filed with the Commission August 4, 1965, Tri-State Generation and Transmission Association, Inc. (Tri-State) seeks authority from this Commission to issue a mortgage note for the purpose of acquiring certain transmission properties at original cost of Y-W Electric Association, Inc., referred to as Y-W herein. The exact amount is not known at this time but it is estimated to be in the neighborhood of $340,000. This note will be 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.

On this same date, August 4, 1965, Tri-State filed also Application No. 21377-Securities, for authority to issue another mortgage note or notes in the principal aggregate amount of $6,880,000, such funds to be used for the construction of various interconnected interstate electric transmission facilities in the States of Nebraska and Colorado; also on this date

Tri-State filed with the Commission Application No. 21379 for authority to construct and operate 27 miles of 115 Kv transmission line from Idalia to Burlington, Colorado. In view of the fact that these three applications of Tri-State have to do with the construction and acquisition of a proposed interconnected transmission system to serve its member electric cooperatives located in Colorado, Nebraska and Wyoming, these matters were set for hearing, after due notice to all interested parties, on August 18, 1965 at 9:00 o'clock A.M. in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. Such notice included all members of Tri-State being furnished electric power in Colorado. Tri-State agreed to notify all its members operating outside Colorado. At such time and place the applications were heard on a consolidated record by the Commission and at the conclusion thereof were taken under advisement. A separate decision and order is issued for each of these applications.

No protests were filed with the Commission with regard to these applications and no one appeared at the hearing in opposition to the granting of the authorities sought.

Applicant's counsel asked that the Commission take official notice of the Articles of Incorporation of Tri-State Generation and Transmission Association, Inc., certified to by the Secretary of the State of Colorado, Exhibit A, attached to the application. Counsel also requested and was granted permission to amend Application No. 21378, Section X, which describes the transmission facilities to be acquired by Tri-State from Y-W and to correct Section XI so that the purchase cost will be original cost rather than net original cost as stated in the Application.

Applicant is a corporation organized and existing under and by virtue of the laws of the State of Colorado, and is engaged in the wholesale furnishing of electric power and energy to only its members within and without the State of Colorado. Tri-State was incorporated May 19, 1952 and commenced operations October 1, 1957. It is managed by a board of nine directors, three being elected from each State. Officers of Tri-State consist of a president, vice president, secretary,and treasurer, all elected

directors. Operations are directed by a manager, who is not a director. The present members of applicant now being served and the general service area of each are as follows:

NAME	GENERAL SERVICE AREA
Highline Electric Association	Logan, Sedgwick, Phillips, Washington, and Yuma Counties, Colorado; and Chase and Perkins Counties, Nebraska.
K. C. Electric Association	Kit Carson, Lincoln, and Cheyenne Counties, Colorado.
Morgan County Rural Electric Association	Morgan, Weld, Washington, and Logan Counties, Colorado.
Mountain Parks Electric, Inc.	Jackson, Grand, Larimer, and Summit Counties, Colorado, and Albany County, Wyoming.
Mountain View Electric Association, Inc.	Lincoln, Elbert, Washington, and El Paso Counties, Colorado.
Poudre Valley Rural Electric Association, Inc.	Larimer, Boulder, and Weld Counties, Colorado.
Union Rural Electric Association, Inc.	Adams, Boulder, Clear Creek, Gilpin, Weld, and Jefferson Counties, Colorado.
Y-W Electric Association, Inc.	Yuma and Washington Counties, Colorado.
Chimney Rock Public Power District	Morrill and Scottsbluff Counties, Nebraska.
Gering Valley Rural Public Power District	Scottsbluff County, Nebraska.
The Midwest Electric Membership Corporation	Perkins, Lincoln, Keith, Deuel, and Chase Counties, Nebraska.
Northwest Rural Public Power District	Dawes and Sheridan Counties, Nebraska.
Panhandle Rural Electric Membership Association	Box Butte, Sheridan, Garden, Grant, Arthur, Hooker, and Cherry Counties, Nebraska.
Roosevelt Public Power District	Scottsbluff and Sioux Counties, Nebraska.
Wheatbelt Public Power District	Cheyenne, Morill, Deuel, and Garden Counties, Nebraska.
Big Horn Rural Electric Company	Big Horn and Washakie Counties, Wyoming.

NAME	GENERAL SERVICE AREA
Carbon Power & Light, Inc.	Carbon and Albany Counties, Wyoming.
Garland Light & Power Company	Park County, Wyoming
Hot Springs County Rural Electric Association, Inc.	Hot Springs, Washakie, Fremont, Natrona, and Carbon Counties, Wyoming.
Niobrara Electric Association, Inc.	Niobrara and Platte Counties, Wyoming, and Sioux County, Nebraska.
Riverton Valley Electric Association, Inc.	Fremont County, Wyoming.
Rural Electric Company, Inc.	Laramie and Albany Counties, Wyoming; Kimball, Banner, Cheyenne, Morrill Counties, Nebraska; and Weld and Logan Counties, Colorado.
Sheridan-Johnson Rural Electrification Association	Sheridan and Johnson Counties, Wyoming; and Big Horn County, Montana.
Shoshone River Power, Inc.	Park County, Wyoming.
Washakie Rural Electric Company	Washakie County, Wyoming.
Wheatland Rural Electric Association, Inc.	Platte, Goshen, and Laramie Counties, Wyoming.
Wyrulec Company	Platte, and Goshen Counties, Wyoming, and Banner County, Nebraska.

Two other members of Tri-State not receiving power from Tri-State at this time are Sangre De Cristo Electric Association, Inc., which supplies electrical energy to its consumers in Lake, Chaffee, Fremont and Custer Counties in Colorado; and San Luis Valley Rural Electric Cooperative, Inc., which distributes electricity to its consumers in Alamosa, Conejos, Rio Grande, Mineral, Costilla, and Saguache Counties in Colorado.

Shortly before Tri-State commenced serving its member cooperatives, the Rural Electrification Administration approved a loan of $9,968,000 May 14, 1956 for the construction of a 44,000 KW steam generating plant and 20 miles of 115 Kv transmission line. These facilities were not constructed. The R. E. A. in its letter June 9, 1965 to Mr. Arthur J. Schnose, President of Tri-State, notified Tri-State that the funds earmarked for the steam generating plant have now been established in Tri-State's budget for the construction of transmission facilities required to meet Tri-State's needs

through 1969,based on its present plan of power supply. As a result of this revision, $6,880,000 originally provided in this "A" loan for generation facilities which will not be required under the current plan, has been transferred to transmission purposes. The remaining sum of $3,088,000, representing "A" loan generation funds not presently earmarked for any specific purposes, are held in control until such time as R. E. A. has approved the use of such funds for other specific purposes. The construction of the Ogallala, Nebraska-Wray, Colorado 115 Kv line and Idalia-Burlington, Colorado 115 Kv transmission line and related facilities, for which funds have been established in the revised "A" loan budget, is dependent on the Y-W Electric Association, Inc. transferring ownership of 28 miles of 115 Kv transmission line between Wray and Idalia, Colorado with related terminal and substation facilities to Tri-State in consideration for which Tri-State would assume a portion of Y-W's obligation to the U. S. Government. Rural Electrification Administration also informed Tri-State in this letter that since both Tri-State and Y-W have passed board resolutions indicating agreement to the proposed transfer, actual consummation of the transaction has not been made a condition which must be met prior to release of funds from special control. However, R. E. A. expects Tri-State to complete this transfer prior to the advance of loan funds for construction of the 115 Kv facilities mentioned above.

A copy of this letter of June 9, 1965 and a copy of the proposed loan contract between Tri-State Generation and Transmission Association, Inc. and United States of America dated as of May 8, 1956, were attached to the Application as Exhibit E-1 but not entered into evidence. Applicant's counsel asked that the Commission take official notice of these two documents. This loan contract provides, among other things, that "the Government shall lend and the Borrower shall borrow presently an amount not in excess of $9,968,000, to finance, pursuant to the provisions of the Act, the construction and operation of an electric system consisting of electric generating facilities and electric transmission lines and facilities, and all substations, transformers, meters and other equipment

necessary for the efficient operation thereof, to be located in rural areas in the Counties of Logan, Morgan, Washington and Weld in the State of Colorado and in counties contiguous to any of said counties in the States of Colorado, Nebraska and Wyoming."

Applicant's witness, Wendell J. Garwood, Manager of Tri-State, testified generally as to the present operation of Tri-State and the proposed construction, acquisition, operation, and ownership of an interconnected interstate transmission system to better serve its members located in the States of Colorado, Nebraska, and Wyoming. Mr. Garwood stated that the proposed transmission system is required because of the deteriorating voltage conditions on the various segments of transmission facilities now being used to deliver power to the distribution members of Tri-State. Additional required transmission facilities are not going to be provided by the U. S. Bureau of Reclamation and thus it is up to Tri-State and its cooperative members to provide such necessary electric transmission facilities to improve the present overload condition and to provide capacity for future growth. It is the policy of Tri-State to purchase transmission facilities from members when it believes such ownership would be beneficial and the members are willing to transfer such properties.

Mr. Garwood stated that the present source of power was the U. S. Bureau of Reclamation, Western Division of the Missouri Basin Project but that about November 1, 1965, 200 megawatt additional thermal generating capacity would be available by the Basin Electric Power Cooperative at Stanton, North Dakota. Tri-State is a member of Basin and thus will share in such power source interconnected through Bureau of Reclamation transmission facilities. Tri-State is also a member of the Rocky Mountain Power Pool. Power from the Bureau is purchased by Tri-State under contract and is delivered over the Bureau's lines or wheeled to 25 delivery points in Colorado, Nebraska and Wyoming. At the present time, Tri-State owns no generation or transmission facilities.

Mr. Garwood sponsored and testified briefly to Exhibit A-1, Tri-State's proposed contract with its member cooperatives which was in-

troduced into evidence; the earmarking of the $9,968,000 of R. E. A. funds contained in R. E. A.'s letter to Mr. Schnose, President of Tri-State, June 9, 1965, and the loan contract dated as of May 8, 1956, not entered into evidence; the mortgage note form, Exhibit F, and the transfer agreement between Y-W Electric Association, Inc. and Tri-State Generation and Transmission Association, Inc. and the United States of America, dated as of August 18, 1965, Exhibit F-2, admitted in evidence. The transfer agreement, Exhibit F-2, has been executed by Tri-State and by Y-W but not yet by the administrator of R. E. A. This transfer agreement, Exhibit F-2, among other things, provides that the consideration called "base price" shall be the original cost of the sale property to be established by an audit by a certified public accountant in accordance with the Uniform System of Accounts, prescribed for electric borrowers of the R.E.A.

It is noted that the proposed sale of the Y-W properties to Tri-State, a generation and transmission cooperative, is on an original cost basis rather than on a net book basis; i.e., original book cost less accumulated depreciation reserve. Total original cost is estimated at approximately $340,000 and accumulated depreciation reserve at approximately $4,800. Eleven miles of this transmission line has been in service since 1963 and the remaining portion has only recently been energized. Neither applicant nor Y-W showed why, in this instance, the transfer of properties should not be made on a net book basis, as has been the transfer of other distribution cooperative properties to a generating and transmission cooperative in the State of Colorado. It does not appear in the public interest that properties of a distribution cooperative should be sold to a generation and transmission cooperative at a price higher than net book original cost. Obviously, any additional cost over net book must be provided by the other member cooperatives. The total original cost purchase price requires the additional borrowing of funds from R. E. A. and necessitates the additional repayment and interest, all to be recovered through increased rates from all ultimate consumers of the member distribution cooperatives. In the Order to follow, the mortgage note for the purpose of acquiring the Y-W transmission properties will be authorized and

approved, subject to certain provisions, one of which is that the properties will be acquired by Tri-State on a net original cost basis as of the date of closing, which shall be as of the last day of the next preceding monthly bookkeeping period.

Mr. Garwood stated that at the present time, Tri-State did not propose to organize and maintain a high voltage maintenance department to service the proposed 115 Kv transmission lines. Tri-State proposes to utilize the transmission maintenance crews and facilities of the distribution cooperatives. The capital expenditures for the improvement of the transmission and delivery facilities, as proposed, will spread the cost of financing between the several distribution cooperative members. This spreading of the cost is indicative of the advantage of cooperative generation and transmission operations for its member cooperatives.

Applicant's witness, William E. Trommershausen, Supervising Executive Engineer, R. W. Beck and Associates, Consulting Engineers, testified to Tri-State's problem of improving its transmission and delivery of power to its consumers as incorporated in the engineering report Power Supply and Transmission Study for Tri-State Generation and Transmission, Inc. dated February, 1965, prepared by R. W. Beck and Associates. This engineering report was introduced into evidence as Exhibit H. Also introduced into evidence and sponsored by Mr. Trommershausen was a map of the transmission grid of Tri-State in Colorado, Wyoming, and Western Nebraska. Mr. Trommershausen explained in detail the facilities now used to deliver power to the distribution members, voltage deficiencies, and other service problems involved, and set forth the recommendations to meet the power and transmission requirements of Tri-State over a ten-year period 1966 - 1976, including the construction of the facilities indicated on the map, Exhibit E, and the acquisition of the Y-W properties already constructed and in operation. Mr. Trommershausen stated that the estimated cost of power to the distribution members, after the installation of the proposed transmission facilities, would be approximately 7 mills.

Applicant's witness Alan A. Kaun, Office Manager of Tri-State, sponsored and testified briefly to the financial statements of Tri-State,

consisting of the balance sheet as of May 31, 1965, Exhibit D; statement of revenues, expense and margins for the 12 months ending May 31, 1965, Exhibit C; a schedule of patronage capital credits 1957 to 1964, Exhibit B; and the pro forma statement of capital structure of Tri-State, Exhibit G, including long term debt of $6,880,000, and Exhibit G revised, including long term debt of $6,880,000 for new construction, and long term debt of $340,000 for the acquisition of the Y-W transmission properties.

In accordance with Chapter 115-6-5, Colorado Revised Statutes, 1953, a fee is charged for the certificate authorizing the issuance of the mortgage note authorized in the Order to follow. In view of the fact that the exact amount of this note is indeterminate at this time, (original book cost less depreciation reserve at time of closing), a fee of $334.29 is now charged, the balance, if any, to be paid at the time the purchase price is determined.

F I N D I N G S

THE COMMISSION FINDS:

That Applicant, Tri-State Generation and Transmission Association, Inc., and Y-W Electric Association, Inc., are public utilities as defined by Section 115-1-3, Colorado Revised Statutes, 1953.

That this Commission has jurisdiction over said Applicants and the subject matter of this application.

That this Commission is fully advised in the premises.

That the foregoing statement be, and it is hereby adopted as part of the findings herein.

That the issuance of a mortgage note by Tri-State Generation and Transmission Association, Inc. to the United States of America substantially in the same form as Exhibit F for the purchase of certain transmission facilities of Y-W Electric Association, Inc., as set forth in the agreement, Exhibit F-2, herein, should be authorized and approved subject to the following conditions:

1. That the purchase price should be the net original cost of the property being transferred as of the date of closing

which would be set as of the last day of the next preceding monthly bookkeeping period.

2. That the correctness of the plant and depreciation reserve accounts of property to be acquired should be determined and verified by a certified public accountant and such certification filed with the Commission.

3. That a copy of such journal entries of the books of Tri-State should be filed with this Commission within one hundred twenty (120) days after the date of closing.

4. That this Order should become null and void if such conditions are not fulfilled and the transfer consummated within one (1) year from the date of this Order.

That within one hundred twenty (120) days of the execution of the mortgage note authorized herein, Applicant should file with the Commission one conformed copy of such executed note and the mortgage securing same.

That the issuance of such mortgage note authorized herein 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 by Tri-State Generation and Transmission Association, Inc. to the United States of America substantially in the same form as Exhibit F for the purchase of certain transmission facilities of Y-W Electric Association, Inc., as set forth in the transfer agreement Exhibit F-2 herein, be, and the same is hereby authorized and approved, subject to the following conditions:

1. That the purchase price shall be the net original cost of the property being transferred as of the date of closing which shall be set as of the last day of the next preceding monthly bookkeeping period.

2. That the correctness of the plant and depreciation reserve accounts of property to be acquired shall be determined and verified by a certified public accountant and such certification filed with the Commission.

3. That a copy of the journal entries of the books of Tri-State shall be filed with this Commission within one hundred twenty (120) days after the date of closing.

4. That this Order shall become null and void if such conditions are not fulfilled and the transfer consummated within one (1) year from the date of this Order.

That within one hundred twenty (120)days of the execution of the mortgage note authorized herein, Tri-State Generation and Transmission Association, Inc. shall file with the Commission one conformed copy of such executed note and copy of the mortgage securing such note.

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 retain jurisdiction of these proceedings to the end that it may make such further order or orders in the premises as to it may seem 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

COMMISSIONER RALPH C. HORTON
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 17th day of September, 1965.

et

(Decision No. 65897)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE INCREASED AND REDUCED RATES AND CHARGES; EXTENSION OF PICK UP AND DELIVERY LIMITS	)))	CASE NO. 1585

September 17, 1965

STATEMENT AND FINDINGS

BY THE COMMISSION:

On August 13, 1965, The Colorado Motor Carriers' Association, Agent, by J. R. Smith, Chief of Tariff Bureau, filed revised pages as set forth in Appendix "A" attached hereto and made a part hereof, naming increased and reduced rates and charges applicable to traffic moving under its Local and Joint Motor Freight Tariff No. 12-A, Colorado PUC No. 11* (*The Motor Truck Common Carriers' Association, Agent, Series) scheduled to become effective September 20, 1965.

In support of the participation in said tariff of Tweedy Transfer in Items 600 and 930 (Q) and the Windecker Truck Line in Item 930 (Q), J. R. Smith of the Association states in a letter dated September 9, 1965 to the Commission, --

> "Representatives of these carriers have advised that their financial condition is substantially the same as that of other carriers named in the above items; that they have experienced much the same increases in their cost of operation and that the increases in rates and charges are necessary if they are to continue to give the public a reliable and efficient transportation service, and at the same time, realize a small profit for themselves.
>
> "Also, the addition of these two carriers to the items presently providing for increased rates and charges by other carriers will aid in maintaining uniform rates and charges in Eastern Colorado."

The Commission first prescribed provisions published in Items 600 and 930 (Q) in Decision No. 65487 dated July 29, 1965 effective August 1, 1965.

The Overland Motor Express, Inc., d/b/a Boulder-Denver Truck Line, operating under Certificates of Public Convenience and Necessity Nos. 2635 and 3058, adds to Item No. 970 provisions extending the free pick up and delivery limits at Denver and Boulder to points within the radii of three and five miles, respectively, of said Cities.

M. A. Chance of Boulder-Denver Truck Line in a letter dated September 7, 1965 to the Commission states, in substance, that the growth of both cities, and areas surrounding each, necessitates these areas being accorded the same rate bases as now applicable to the respective cities. Its customers are requesting pick ups and deliveries at points in the areas contiguous to Denver and Boulder.

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 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 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 September 20, 1965, 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 September 20, 1965, 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

Commissioner Ralph C. Horton necessarily absent and not participating.

Dated at Denver, Colorado
this 17th day of September,
1965.

(Decision No. 65897) Case No. 1585

APPENDIX "A"

COLORADO MOTOR CARRIERS' ASSOCIATION, AGENT
LOCAL AND JOINT FREIGHT TARIFF NO. 12-A
COLORADO PUC NO. 11

Changes effective September 20, 1965

4th Revised Page No. 77

RULES AND REGULATIONS

ITEM No.	APPLICATION
600	ADDITIONAL CHARGE: (Subject to Item No. 624) (A) Except as otherwise provided in Paragraph (C) and in Note 1 hereof, all shipments weighing less than 2,000 pounds will be charged for at the rate applicable plus 10¢ per 100 pounds, subject to a minimum increase of 10¢ per shipment. (B) The additional charge provided for above will be applied to all local and joint traffic transported by the carriers named in paragraph (D) below. In instances where a joint line movement involves a carrier not named in paragraph (D), the entire proceeds of the additional charge will accrue to the carrier or carriers named in paragraph (D) participating in such joint line movement. (C) The additional charge provided for above will not apply in instances where the minimum charge is assessed. (D) The provisions of this item apply only via or in connection with the following carriers; Overland Motor Express, Inc., D/B/A Boulder-Denver Truck Line Burlington Truck Lines, Inc. Colorado Cartage Company, Inc. Denver Climax Truck Line, Inc. Denver-Laramie-Walden Truck Line, Inc. Denver-Limon-Burlington Transfer Company Denver-Loveland Transportation, Inc. Jack E. Edson and Marjorie J. Edson, D/B/A Edson Express C. R. Bryant, D/B/A Evergreen Freight Line Ermon L. Tyler, D/B/A Fowler Truck Line Anna Gasperetti, D/B/A Gardner-Red Wing Freight Line Miller Bros., Inc. Milliken-Johnstown Truck Line, Inc. North Eastern Motor Freight, Inc. Richard H. Eshe and Lois Mae Eshe, D/B/A South Park Motor Lines (A) Donald R. Wills, D/B/A Tweedy Transfer Westway Motor Freight, Inc. Yuma County Transportation Co.

NOTE 1: The provisions of this item will not apply on traffic transported jointly between the carriers named above, on the ond hand, and, on the other, Red Ball Motor Freight, Inc.

27th Revised Page No. 93

RULES AND REGULATIONS

ITEM No.	APPLICATION

MINIMUM CHARGE: (continued)

(q) Except as provided in Note 1 below, the minimum charge for a single shipment from one consignor to one consignee on one bill of lading in one day via or in connection with the carriers named below will be:

Single Line Traffic $3.00
Joint Line Traffic 4.00

The provisions of this paragraph apply only via or in connection with the following carriers:

930
Frederic A. Bethke, D/B/A
Bethke Truck Lines
Overland Motor Express, Inc., D/B/A
Boulder-Denver Truck Line
Burlington Truck Lines, Inc.
Colorado Cartage Company, Inc.
Denver-Climax Truck Line, Inc.
Denver-Laramie-Walden Truck Line, Inc.
Denver-Limon-Burlington Transfer Company
Denver-Loveland Transportation, Inc.
Jack E. Edson and Marjorie J. Edson, D/B/A
Edson Express
C. R. Bryant, D/B/A
Evergreen Freight Line
Anna Gasperetti, D/B/A
Gardner-Red Wing Freight Line
Garrett Freightlines, Inc.
Elden G. Wille, D/B/A
Lake City Truck Line
Larson Transportation Company
Miller Bros., Inc.
Milliken-Johnstown Truck Line, Inc.
North Eastern Motor Freight, Inc.
Ringsby Truck Lines, Inc.
Rio Grande Motor Way, Inc.
Richard H. Eshe and Lois Mae Eshe, D/B/A
South Park Motor Lines
(A) Donald R. Wills, D/B/a
Tweedy Transfer
Westway Motor Freight, Inc.
(A) John B. Windecker, D/B/a
Windecker Truck Line
Yuma County Transportation Co.

NOTE 1: The provisions of paragraph (q) will not apply on traffic transported jointly between the carriers named above, on the one hand, and, on the other, Red Ball Motor Freight, Inc.

12th Revised Page No. 95

PICK-UP AND DELIVERY SERVICE: (concluded)

970
(R) Exception: Pick-up and Delivery service within the City Limits of Boulder, Colorado, when shipment is moving via Overland Motor Express, Inc., D/B/A Boulder-Denver Truck Line, will also include free pick-up and delivery service in an area extending five miles beyond and contiguous to the City Limits of Boulder, Colorado, on shipments having a prior or subsequent movement over the lines of Overland Motor Express, Inc., D/B/A Boulder-Denver Truck Line.

12th Revised Page No. 95 cont'd

Pick-up and delivery service within the City Limits of Denver, Colorado, when shipment is moving via Overland Motor Express, Inc., D/B/A Boulder-Denver Truck Line, will also include free pick-up and
970 delivery service in an area extending three miles beyond and contiguous to the City Limits of Denver, Colorado, on shipments having a prior or subsequent movement over the lines of Overland Motor Express, Inc., D/B/A Boulder-Denver Truck Line.

/ denotes addition
(A) denotes increase
(R) denotes reduction

* * * * *

(Decision No. 65898)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF WILLIAM C. HUBBARD, DOING BUSINESS AS "SPEEDY MESSENGER SERVICE," 1400 20TH STREET, DENVER, COLORADO.	PUC NO. 2428

September 21, 1965

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 operations under PUC No. 2428.

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 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."

From the records of the Commission, it does not appear that Applicant's financial statement on file with the Commission warrants granting of waiver requested.

The Commission states and finds that said request should be denied.

O R D E R

THE COMMISSION ORDERS:

That request of William C. Hubbard, doing business as "Speedy Messenger Service," Denver, Colorado, for written waiver of the provisions of Section (a) of Rule 24 of Rules and Regulations Governing Common Carriers by Motor Vehicle in operations under PUC No. 2428 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

COMMISSIONERS HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado, this
21st day of September, 1965.

ls

(Decision No. 65899)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
FRANK C. KLEIN & CO., INC.,)
3600 EAST 46TH AVENUE, DENVER,) PUC NO. 1582, PUC No. 1582-I
COLORADO.)

September 21, 1965

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 operations under PUC No. 1582 and PUC No. 1582-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."

From the records of the Commission, it does not appear that Applicant's financial statement on file with the Commission warrants granting of waiver requested.

The Commission states and finds that said request should be denied.

O R D E R

THE COMMISSION ORDERS:

That request of Frank C. Klein & Co., Inc., Denver, Colorado, for written waiver of the provisions of Section (a) of Rule 24 of Rules and Regulations Governing Common Carriers by Motor Vehicle in operations under PUC No. 1582 and PUC No. 1582-I, 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

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 21st day of September, 1965.

ls

(Decision No. 65900)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
FRANK C. KLEIN & CO., INC.,)
3600 EAST 46TH AVENUE, DENVER,) PERMIT NO. B-2264
COLORADO.)

September 21, 1965

STATEMENT AND FINDINGS OF FACT

By the Commission:

The Commission is in receipt of an application from the above-styled permit-holder, requesting a written waiver from the Commission in lieu of filing a bond covering payment of C.O.D. collections to shippers, in operations under Permit No. B-2264.

Rule 25 (a) of Rules and Regulations Governing Private Carriers by Motor Vehicle, effective June 1, 1960, provides that:

> "No Private Carrier shall accept any C.O.D. shipments or otherwise collect money from any consignee to be paid to the consignor, unless such carrier shall have on file with the Commission cash or a Surety Bond in an amount not less than $2,000, in such form as the Commission may prescribe, conditioned upon the true and prompt payment of any such C.O.D. or other collections by the carrier to the consignor. Said Surety Bond shall authorize the Commission summarily to apply any part or all of the amount thereof to the payment of any C.O.D. or other collection account owed by the carrier to any consignor, which the carrier has not paid within ten (10) days after the receipt thereof."

From the records of the Commission, it does not appear that Applicant's financial statement on file with the Commission warrants granting of waiver requested.

The Commission states and finds that said request should be denied.

The Commission states and finds that said request should be denied.

O R D E R

THE COMMISSION ORDERS:

That request of Frank C. Klein & Co., Inc., Denver, Colorado, for written waiver of the provisions of Section (a) of Rule 25 of Rules and Regulations Governing Private Carriers by Motor Vehicle in operations under Permit No. B-2264 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

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 21st day of September, 1965.

ls

(Decision No. 65901)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF RUAN TRANSPORT CORPORATION, KEOSAUQUA WAY AT THIRD, DES MOINES, IOWA.) PERMIT NO. B-5315

September 21, 1965

STATEMENT AND FINDINGS OF FACT

By the Commission:

The Commission is in receipt of an application from the above-styled permit-holder, requesting a written waiver from the Commission in lieu of filing a bond covering payment of C.O.D. collections to shippers, in operations under Permit No. B-5315.

Rule 25 (a) of Rules and Regulations Governing Private Carriers by Motor Vehicle, effective June 1, 1960, provides that:

> "No Private Carrier shall accept any C.O.D. shipments or otherwise collect money from any consignee to be paid to the consignor, unless such carrier shall have on file with the Commission cash or a Surety Bond in an amount not less than $2,000, in such form as the Commission may prescribe, conditioned upon the true and prompt payment of any such C.O.D. or other collections by the carrier to the consignor. Said Surety Bond shall authorize the Commission summarily to apply any part or all of the amount thereof to the payment of any C.O.D. or other collection account owed by the carrier to any consignor, which the carrier has not paid within ten (10) days after the receipt thereof."

From the records of the Commission, it does not appear that Applicant's financial statement on file with the Commission warrants granting of waiver requested.

The Commission states and finds that said request should be denied.

O R D E R

THE COMMISSION ORDERS:

That request of Ruan Transport Corporation, Des Moines, Iowa, for written waiver of the provisions of Section (a) of Rule 25 of Rules and Regulations Governing Private Carriers by Motor Vehicle in operations under Permit No. B-5315 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

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 21st day of September, 1965.

ls

(Decision No. 65902)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
RUAN TRANSPORT CORPORATION, KEOSAUQUA)
WAY AT THIRD, DES MOINES, IOWA.) PUC NO. 1515 AND PUC NO. 1515-I

September 21,1965

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 operations under PUC No. 1515 and PUC No. 1515-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."

From the records of the Commission, it does not appear that Applicant's financial statement on file with the Commission warrants granting of waiver requested.

The Commission states and finds that said request should be denied.

O R D E R

THE COMMISSION ORDERS:

That request of Ruan Transport Corporation, Des Moines, Iowa, for written waiver of the provisions of Section (a) of Rule 24 of Rules and Regulations Governing Common Carriers by Motor Vehicle in operations under PUC No. 1515 and PUC No. 1515-I 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

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 21st day of September, 1965.

(Decision No.65903)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF VALLEY TRANSIT LINES, INC., P. O. BOX 730, WICHITA, KANSAS.	)))	PUC NO. 823 AND PUC NO. 823-I

September 21,1965

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 operations under PUC No. 823 and PUC No. 823-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."

From the records of the Commission, it does not appear that Applicant's financial statement on file with the Commission warrants granting of waiver requested.

The Commission states and finds that said request should be denied.

O R D E R

THE COMMISSION ORDERS:

That request of Valley Transit Lines, Inc., Wichita, Kansas, for written waiver of the provisions of Section (a) of Rule 24 of Rules and Regulations Governing Common Carriers by Motor Vehicle in operations under PUC No. 823 and PUC No. 823-I be, and the same hereby is, denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 21st day of September, 1965

et

(Decision No. 65904)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF ENIS P. BAUDINO, AS ADMINISTRATRIX OF THE ESTATE OF ANGELO BAUDINO, DECEASED, DOING BUSINESS AS "BAUDINO TRANSFER," P. O. BOX 525, AGUILAR, COLORADO.	PUC NO. 419 AND PUC NO. 419-I

September 21,1965

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 operations under PUC No. 419 and PUC No. 419-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."

From the records of the Commission, it does not appear that Applicant's financial statement on file with the Commission warrants granting of waiver requested.

The Commission states and finds that said request should be denied.

O R D E R

THE COMMISSION ORDERS:

That request of Enis P. Baudino, Administratrix of the Estate of Angelo Baudino, Deceased, doing business as "Baudino Transfer," Aguilar, Colorado, for written waiver of the provisions of Section (a) of Rule 24 of Rules and Regulations Governing Common Carriers by Motor Vehicle in operations under PUC No. 419 and PUC No. 419-I 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

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 21st day of September, 1965

(Decision No. 65905)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF HAROLD L. LESH, DOING BUSINESS AS "GLENWOOD ASPEN STAGES," BOX 215, GLENWOOD SPRINGS, COLORADO.	PUC NO. 1089 AND PUC NO.1089-I

September 21,1965

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 operations under PUC No. 1089 and PUC No. 1089-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."

From the records of the Commission, it does not appear that Applicant's financial statement on file with the Commission warrants granting of waiver requested.

The Commission states and finds that said request should be denied.

O R D E R

THE COMMISSION ORDERS:

That request of Harold L. Lesh, doing business as "Glenwood Aspen Stages," Glenwood Springs, Colorado, for written waiver of the provisions of Section (a) of Rule 24 of Rules and Regulations Governing Common Carriers by Motor Vehicle in operations under PUC No. 1089 and PUC No. 1089-I 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

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 21st day of September, 1965

(Decision No. 65906)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF CORTEZ TAXI & TRANSFER, INC., 930 EAST MAIN, CORTEX, COLORADO.) PUC NO. 1689

September 21,1965

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 operations under PUC No. 1689.

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."

From the records of the Commission, it does not appear that Applicant's financial statement on file with the Commission warrants granting of waiver requested.

The Commission states and finds that said request should be denied.

O R D E R

THE COMMISSION ORDERS:

That request of Cortez Taxi & Transfer, Inc., Cortez, Colorado, for written waiver of the provisions of Section (a) of Rule 24 of Rules and Regulations Governing Common Carriers by Motor Vehicle in operations under PUC No.1689 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

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 21st day of September, 1965

(Decision No. 65907)

IN THE MATTER OF APPLICATION FOR AUTHORITY TO ISSUE A MAXIMUM OF 44,500 SHARES OF COMMON STOCK

SOUTHERN UNION GAS COMPANY, Second Avenue and Eleventh St., Durango, Colorado

PETITIONER

APPLICATION NO. 21495
Securities

S T A T E M E N T

By the Commission:

Upon consideration of the application filed on September 17, 1965, by Southern Union Gas Company, a corporation, in the above styled matter:

O R D E R

THE COMMISSION ORDERS:

That a public hearing be held, commencing on October 7, 1965, at 9:00 o'clock A. M., 532 State Services Building, Denver, Colorado, respecting matters involved and issues presented in the proceeding. Any interested municipality or any representative of interested consumers or security holders of applicant corporation, and any other person whose participation herein is in the public interest, may intervene in said proceeding. Intervention petitions should be filed with the Commission on or before October 1, 1965, and should set forth the grounds of the proposed intervention and the position and interest of the petitioners, in the proceeding and must be subscribed by interveners.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 21st day of September, 1965.

(Decision No. 65908)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF BEMAN MOTORS TRANSPORTATION, INC., BOX 526, ROCKY FORD, COLORADO.	)))	PUC NO. 641, PUC No. 641-I AND PERMIT NO. B-6496

September 20, 1965

STATEMENT AND FINDINGS OF FACT

By the Commission:

Beman Motors Transportation Inc., owner of PUC No. 641, PUC No. 641-I and Permit No. B-6496, herein seeks authority to mortgage said operating rights to the Small Business Administration, an agency of the United States Government, to secure payment of the sum of Ninety-five Thousand Four Hundred Sollars ($95,400.00) disaster loan, in accordance with the terms and conditions set forth in Chattel Mortgage and Note filed with the Commission on September 20, 1965, said Mortgage 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 Beman Motors Transportation, Inc., Rocky Ford, Colorado, be, and hereby is, authorized to mortgage all right, title, and interest in and to PUC No. 641, PUC No. 641-I and Permit No. B-6496 to the Small Business Administration, an agency of the United States Government, to secure payment of the sum of $95,400.00, as set forth in the Statement preceding, which is de 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

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT PARTICIPATING
Dated at Denver, Colorado,
this 20th day of September, 1965
et

(Decision No. 65909)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF KERR TRANSPORTATION CO., CAMEO, COLORADO.) PERMIT NO. B-225

September 22,1965

STATEMENT AND FINDINGS OF FACT

By the Commission:

The Commission is in receipt of a communication from the above-styled permit-holder requesting authority to change the corporate name from Kerr Coal Company to Kerr Transportation Company, in conformance with the provisions of the Colorado Corporation Acts, in the conduct of operations under Permit No. B-225.

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-225 to be owned and operated by:

"Kerr Transportation Co.,"

in lieu of:

"Kerr Coal Company."

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT
PARTICIPATING

Dated at Denver, Colorado,
this 22nd day of September, 1965
et

(Decision No. 65910)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF BERTON GROVES, DOING BUSINESS AS "GROVES EXCAVATING SERVICE," 156 EL PASO BOULEVARD, MANITOU SPRINGS, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 21463-PP

September 23,1965

Appearances: Mrs. Iola Groves, Manitou Springs, Colorado, for Applicant.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire.

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 of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing Mrs. Iola Groves, wife of the applicant herein appeared and testified in support of the application, stating that her husband was unable to attend the hearing; that she is authorized to testify in his behalf, that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

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 services; 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 to the Commission that the 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 the granting of 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 Berton Groves, doing business as "Groves Excavating Service," Manitou Springs, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of 25 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 25 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 25 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 25 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 operation , 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 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 hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 23rd day of September, 1965

et

(Decision No. 65911)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF JON K. HARMS, P. O. BOX 414, GRANBY, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 21445-PP

September 23,1965

Appearances: Jon K. Harms, Granby, 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.

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 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 the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

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 services; 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 to the Commission that the 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 the granting of 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 Jon K. Harms, Granby, 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 75 miles of said forests; rough lumber, from sawmills in said 75-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 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 hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 23rd day of September, 1965

et

(Decision No. 65912)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MRS. ETHA MILBURN, KREMMLING, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE AS A) APPLICATION NO. 21447-PP
PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.)

September 23,1965

Appearances: Mrs. Etha Milburn, Kremmling, 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.

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 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 the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that she has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

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 services; 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 to the Commission that the 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 the granting of 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 Mrs. Etha Milburn, Kremmling, 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 75 miles of said forests; rough lumber, from sawmills in said 75-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 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 hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 23rd day of September, 1965

et

(Decision No. 65913)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF JOHN HUGHES, DOING BUSINESS AS "NORTH PARK TIMBER CO.," BOX 877, LARAMIE, WYOMING, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.	APPLICATION NO. 21452-PP

September 23, 1965

Appearances: John Hughes, Laramie, Wyoming, 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.

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 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 the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

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 services; 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 to the Commission that the 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 the granting of authority, as provided in the following Order, will be in the public interest, and such authority should be granted.

O R D E R

THE COMMISSION ORDERS:

That John Hughes, doing business as "North Park Timber Co.," Laramie, Wyoming, 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 50 miles of said forests; rough lumber, from sawmills in said 50-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

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 23rd day of September, 1965.

ls

(Decision No. 65914)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF ELVIN O. BURROUGHS, BOX 135, STEAMBOAT SPRINGS, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 21451-PP

September 24,1965

Appearances: Elvin O. Burroughs, Steamboat Springs, Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire.

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 of said proceeding, together with a written statement of his findings of fact and conclusions.

Record of the Examiner states that at the hearing, Applicant herein appeared and testified in support of the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

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 services; 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 to the Commission that the 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 the granting of 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 Elvin O. Burroughs, Steamboat Springs, 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 10 miles of said forests; rough lumber, from sawmills in said 10-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 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 hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 24th day of September, 1965

et

(Decision No. 65915)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF VERN STARKS, GENERAL DELIVERY, GRANBY, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 21449-PP

September 24, 1965

Appearances: Vern Starks, Granby, 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.

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 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 the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

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 services; 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 to the Commission that the 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 the granting of 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 Vern Starks, Granby, 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 50 miles of said forests; rough lumber, from sawmills in said 50-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 right of Applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 24th day of September, 1965

et

(Decision No. 65916)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF CLIFTON DALE NEWSOM, BOX 95, KREMMLING, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 21448-PP

September 24,1965

Appearances: Clifton Dale Newsom, Kremmling, 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.

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 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 the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

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 services; 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 to the Commission that the 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 the granting of 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 Clifton Dale Newsom, Kremmling, 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 50 miles of said forests; rough lumber, from sawmills in said 50-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 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 hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 24th day of September, 1965.

et

(Decision No. 65917)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
IRWIN V. HASSIG, YAMPA, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A PRIVATE) APPLICATION NO. 21454-PP
CARRIER BY MOTOR VEHICLE FOR HIRE.)

September 24,1965

Appearances: Irwin V. Hassig, Yampa, 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. Applicant requests in the event the authority sought herein is granted that said operating rights be known as "Permit No. B-5418," being the number of a permit formerly held by him.

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 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 the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

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 services; 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 to the Commission that the 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 the granting of 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 Irwin V. Hassig, Yampa, 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 50 miles of said forests; rough lumber, from sawmills in said 50-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 said operating rights be known as "Permit No. B-5418".

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 24th day of September, 1965

et

(Decision No. 65918)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF PLATT L. KESTED AND KENNETH BROWNER, DOING BUSINESS AS "K RUBBISH REMOVAL," 1200 SOUTH LOGAN STREET, DENVER, COLORADO, FOR AUTHORITY TO TRANSFER PUC NO. 3388 TO KENNETH E. BROWNER, DOING BUSINESS AS "K RUBBISH REMOVAL," 1007 SOUTH GROVE STREET, DENVER, COLORADO.	APPLICATION NO. 21471-Transfer

September 24, 1965

Appearances: Platt L. Kested, Denver, Colorado, pro se;
Kenneth E. Browner, Denver, Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Heretofore, Platt L. Kested and Kenneth Browner, doing business as "K Rubbish Removal," Denver, Colorado, were granted a certificate of public convenience and necessity, PUC No. 3388, authorizing operation as a common carrier by motor vehicle for hire, for the:

> "Transportation of ashes, trash, and other waste materials, from point to point within the City and County of Denver, and from points in the City and County of Denver to regularly-established and approved dumps and disposal places in the Counties of Adams, Arapahoe, and Jefferson, State of Colorado."

By the above-styled application, said certificate-holders seek authority to transfer said operating rights to Kenneth E. Browner, doing business as "K Rubbish Removal," Denver, Colorado.

Said application, pursuant to prior setting after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, at ten o'clock A.M., September 20, 1965, and at the conclusion of the evidence,

the matter was taken under advisement.

Platt L. Kested, one of the transferors herein, and Kenneth Browner, the transferee herein, appeared and testified in support of the transfer in substance and to the effect that there are no debts against the authority; that the authority is being operated; that the authority and all equipment will be transferred to the transferee for the total sum of $300. It appeared from the testimony that the transferee will be able to carry on the operation and that he is qualified.

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

The Commission states and finds 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 Platt L. Kested and Kenneth Browner, doing business as "K Rubbish Removal," Denver, Colorado, be, and hereby are, authorized to transfer all right, title and interest in and to PUC No. 3388 -- with authority as set forth in the Statement preceding, which is made a part hereof by reference -- to Kenneth E. Browner, doing business as "K Rubbish Removal," Denver, Colorado, subject to encumbrances, if any, against said operation approved by this Commission.

That said transfer shall become effective only if and when, but not before, said transferors and transferee, in writing, have advised the Commission that said certificate has been formally assigned and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order, to be by them, or either of them, kept and performed. Failure to file said written acceptance

of the terms of this Order within thirty (30) days from the effective date of the Order shall automatically revoke the authority herein granted to make the transfer, without further Order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 24th day of September, 1965.

ls

(Decision No. 65919)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF CHARLES LAVENDER, DOING BUSINESS AS "LARRY'S TRASH HAULING," 4060 SOUTH FEDERAL BOULEVARD, ENGLEWOOD, COLORADO, FOR AUTHORITY TO TRANSFER PUC NO. 5362 TO JOSEPH LEE AND BOB LEE, DOING BUSINESS AS "LEE'S ASH & TRASH DISPOSAL," 2829 HARRISON, DENVER, COLORADO.	APPLICATION NO. 21472-Transfer

September 24, 1965

Appearances: Robert G. McIlhenny, Esq., Symes Building, Denver, Colorado, for Transferor and Transferees.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Heretofore Charles Lavender, doing business as "Larry's Trash Hauling," Englewood, Colorado, was granted a certificate of public convenience and necessity, PUC No. 5362, authorizing operation as a common carrier by motor vehicle for hire for the:

> "Call and demand transportation of trash and rubbish, from point to point within the Towns of Sheridan and Ft. Logan, Colorado."

By the above-styled application, said certificate-holder seeks authority to transfer said operating rights to Joseph Lee and Bob Lee, doing business as "Lee's Ash & Trash Disposal," Denver, Colorado.

Said application, pursuant to prior setting after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, at ten o'clock A.M., September 20, 1965, and at the conclusion of the evidence, the matter was taken under advisement.

The transferor and Bob Lee, one of the transferees, appeared

and testified in support of the transfer in substance and to the effect that the transferor is the owner of the authority, has operated the same continuously and to the present date; that he has entered into a duly executed contract for the sale and transfer of said authority, being Exhibit No. 1 which was received in evidence; and that there are no debts or obligations against the authority; that one of the transferees has had two years' experience in ash and trash removal; has a good record and has decided to go into business for himself; that both transferees will operate the authority on a full-time basis; that they have sufficient equipment to carry on the services; and, that they have $500 in cash and a net worth of approximately $16,800.

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

The Commission states and finds that transferees will have sufficient equipment and experience to properly carry on the operation; that transferees' 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 Charles Lavender, doing business as "Larry's Trash Hauling," Englewood, Colorado, be, and hereby is, authorized to transfer all right, title, and interest in and to PUC No. 5362 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Joseph Lee and Bob Lee, doing business as "Lee's Ash & Trash Disposal," Denver, Colorado, subject to encumbrances, if any, against said operation approved by this Commission.

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

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 24th day of September, 1965.

ls

(Decision No. 65920)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DOYL R. MOON, HAYDEN, COLORADO, FOR)
AUTHORITY TO EXTEND OPERATIONS UNDER) APPLICATION NO. 21455-PP-Extension
PERMIT NO. B-6103.)

September 24, 1965

Appearances: Doyle R. Moon, Hayden, Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Heretofore, Doyle R. Moon, Hayden, Colorado, was authorized to operate as a Class "B" private carrier by motor vehicle for hire, Permit No. B-6103, authorizing transportation of:

> "sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of 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. Decision No. 56864: Transportation of coal, from strip mine operated by Edward Lasnik, approximately 14 miles from Hayden, Colorado, to the tipple at Hayden, Colorado."

By the above-styled application, said permit-holder seeks authority to extend operations under said Permit No. B-6103 to include the right to transport logs, poles and timber products, from forests to sawmills, places of storage and loading points within a radius of 150 miles of said forests; rough lumber, from sawmills in said 150-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 of said proceedings, 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 the application, stating that if proposed extended authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed extended service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed extended operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

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 the proposed extended operation; that applicant's financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the 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 the granting of 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 Doyle R. Moon, Hayden, Colorado, be, and hereby is, authorized to extend operations under Permit No. B-6103 to include the right to transport logs, poles and timber products, from forests to sawmills, places of storage, and loading points within a radius of 150 miles of said forests; rough lumber, from sawmills in said 150-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.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 24th day of September, 1965.

ls

(Decision No. 65921)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF L. E. ELLIOTT, 741 WEST BUENA VENTRA STREET, COLORADO SPRINGS, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 21473-PP

September 24,1965

Appearances: L. E. Elliott, Colorado Springs, Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire.

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 of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, the Applicant, L. E. Elliott, requested that the instant application be dismissed.

The Commission states and finds that said request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Application No. 21473-PP be, and the same hereby is, dismissed.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 24th day of September, 1965

et

(Decision No. 65922)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF DENNIS L. RICHARDSON, P. O. BOX 1116, WHITE HOUSE RANCH, COLORADO SPRINGS, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 21474-PP

September 24, 1965

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.

Said application was regularly set for hearing before the Commission, and an Examiner duly designated to conduct hearing on said application, 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, there being no protestants present, the files were made a part of the record and the matter taken under advisement.

Report of the Examiner further states that from the files and other inquiry, it appears that Applicant has ample and suitable equipment, sufficient net worth and operating experience with which to conduct his proposed 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 applicant's proposed transportation services; 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 to the Commission that the 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 the granting of 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 Dennis L. Richardson, Colorado Springs, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of 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

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 24th day of September, 1965.

ls

(Decision No. 65923)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF DANA L. COLUMBIA, DOING BUSINESS AS "COLUMBIA BROS.," BOX 302, GRANBY, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.	APPLICATION NO. 21288-PP-Amended

September 24,1965

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. Applicant requests in the event authority herein sought is granted that operating rights be known as "Permit No. B-5885," being the number of a permit formerly held by him.

Said application was regularly set for hearing before the Commission, and an Examiner was duly designated to conduct hearing on said application, 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, there being no protestants present, the files were made a part of the record and the matter taken under advisement.

Report of the Examiner further states that from the files and other inquiry, it appears that Applicant has ample and suitable equipment, sufficient net worth and operating experience with which to conduct his proposed 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 Applicant's proposed transportation services; 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 to the Commission that the 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 the granting of 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 Dana L. Columbia, doing business as "Columbia Bros.," Granby, 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 50 miles of said forests; rough lumber, from sawmills in said 50-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 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 hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 24th day of September, 1965.

et

(Decision No. 65924)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE ISSUANCE OF TEMPORARY CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY UNDER CHAPTER 115-9-4) (2) CRS 1963, FOR EMERGENCY MOVEMENT OF SUGAR BEETS.

APPLICATION NO. 21470
SUPPLEMENTAL ORDER

September 22,1965

STATEMENT AND FINDINGS OF FACT

By the Commission:

By Decision No. 65787, dated September 13, 1965, temporary certificates of public convenience and necessity were ordered issued for the operation of motor vehicles, for transportation of sugar beets in the counties of Adams, Kit Carson, Baca, Bent, Crowley, Otero, Prowers, Pueblo, Logan, Sedgwick, Washington, Morgan, Weld, Boulder, Larimer, Mesa, Delta, Montrose and Ouray, Colorado, for a period of ninety (90) days, commencing September 20, 1965.

Subsequent to the entry of the above stated decision, the Commission has been requested to add the County of Yuma to the above list of Counties and to change the effective date from September 20, 1965 to October 5, 1965.

The Commission finds that Decision No. 65787, dated September 13, 1965, should be amended, nunc pro tunc, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 65787, dated September 13, 1965, be, and the same hereby is, amended, nunc pro tunc, as of said 13th day of September, 1965, by adding the County of Yuma, State of Colorado to the list of Counties set forth in said Decision No. 65787, and by changing the effective date from September 20, 1965 to October 5, 1965.

That except as herein amended, said Decision No. 65787 shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 22nd day of September, 1965

et

(Decision No. 65925)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JOHN A. BEAUPREZ, 645 SOUTH 4th,)
BRIGHTON, COLORADO, FOR A CLASS "B") APPLICATION NO. 21334-PP
PERMIT TO OPERATE AS A PRIVATE) SUPPLEMENTAL ORDER
CARRIER BY MOTOR VEHICLE FOR HIRE.)

September 24, 1965

Appearances: John A. Beauprez, Brighton, Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On August 18, 1965, the Commission entered its Decision No. 65596 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 6th line of the first paragraph of the Order contained in said Decision No. 65596, appearing on page 2 thereof, viz., the radius is shown as "60" and should be "50" miles.

The Commission states and finds that Decision No. 65596 should be amended, nunc pro tunc, as of August 18, 1965, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 65596, dated August 18, 1965, be, and the same hereby is, amended, nunc pro tunc, as of said 18th day of August, 1965, by changing the radius from "60" to "50" appearing on the 6th line of the first paragraph of the Order therein contained.

That except as herein amended, Decision No. 65596 shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 24th day of September, 1965.

et

Decision No. 65926)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE ISSUANCE OF TEMPORARY CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY UNDER CHAPTER 115-9-4 (2) CRS 1963, FOR EMERGENCY MOVEMENT OF PEAS, SNAP BEANS, SWEET CORN, TOMATOES, RED BEETS, PICKLES, AND POTATOES.

APPLICATION NO. 21274
SUPPLEMENTAL ORDER

September 23,1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On June 23, 1965, the Commission entered its Decision No. 65296 and on July 1, 1965, Decision No. 65296, Supplemental Order, in the above-styled application, authorizing issuance of temporary certificates of public convenience and necessity for emergency movement of peas, snap beans, sweet corn, tomatoes, red beets, pickles and potatoes, in the Counties of Adams, Larimer, Weld, Morgan, Mesa, Boulder, Delta, Montrose and Ouray, for a period of ninety (90) days, commencing June 23, 1965.

The Commission has now been informed that said emergency will exist after September 23, 1965, and request has been made for an Order of this Commission, extending the time within which said certificates may issue for an additional sixty (60) days from September 23, 1965.

The Commission, having considered the record herein, states and finds that an emergency continues to exist because of shortage in certificated trucks for transportation of the above named crops in the above set out Counties and that public convenience and necessity requires that temporary certificates of public convenience and necessity should continue to issue for the operation of motor vehicles for transportation of crops, as provided by Chapter 115-9-4 (2), CRS 1963, said

certificates to be effective for an additional period of sixty (60) days from September 23, 1965 to November 23, 1965.

O R D E R

THE COMMISSION ORDERS:

That temporary certificates of public convenience and necessity be, and hereby are, authorized to continue to be issued until November 23, 1965, for the operation of motor vehicles, for transportation of peas, snap beans, sweet corn, tomatoes, red beets, pickles and potatoes, from fields for processing and storage in the Counties of Adams, Larimer, Weld, Morgan, Mesa, Boulder, Delta, Montrose and Ouray, and that certificates heretofore issued shall continue in effect until November 23, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 23rd day of September, 1965

et

(Decision No. 65927)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
NORMAN EDWARDS, 209 PALMER AVENUE,)
SALIDA, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE) APPLICATION NO. 21388-PP
CARRIER BY MOTOR VEHICLE FOR HIRE,)
IN INTRASTATE AND INTERSTATE)
COMMERCE.)

September 27,1965

Appearances: Norman Edwards, Salida, Colorado, pro se;
Douglas McHendrie, Esq., Denver, Colorado, for copy of Order.

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, in intrastate and interstate commerce, for a cartage service for pick up and delivery of express shipments from or to the REA Express office at the D&RGW depot at Salida, Colorado, on the one hand, and on the other hand all points within the collection and delivery limits at the express station of Salida, Colorado, as defined in Railway Express Agency, Inc., Tariff Colorado PUC No. 3, 30th Revision, as now in effect and as hereafter 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 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 the application, stating

that if the instant application is granted, he will enter into special carriage contracts for the pickup and delivery of express shipments; that he has ample and suitable equipment, sufficient net worth and operating experience to render the special service herein sought; and that if the authority is granted it is his desire to be exempted and expressly relieved from complying with certain Rules or portions thereof of the Rules and Regulations Governing Private Carriers by Motor Vehicle for Hire.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

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 services; 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 to the Commission that the 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 the rule exemptions sought should in the public interest be granted; and that the granting of 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 Norman Edwards, Salida, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, in intrastate and interstate commerce, for a cartage service for pickup and delivery of express shipments from or to the Railway Express Agency, Inc., Express Office at the Denver & Rio Grande Western Depot at Salida, on the one hand, and on the other hand all

points within the collection and delivery limits at the express station of Salida, Colorado, as defined in Railway Express Agency, Inc., tariff Colorado PUC No. 3, 30th revision, as now in effect and as hereafter amended; interstate operating rights herein granted subject to the provisions of the Federal Motor Carrier Act of 1935, as amended; and this ORDER shall be deemed to be, and be, a PERMIT therefor.

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 Railway Express Agency, Inc., at Salida, 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 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 rules and regulations of the Commission, except as specifically exempted, supra.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 27th day of September, 1965.

et

(Decision No. 65928)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF ROBERT A. GOSSELIN, DOING BUSINESS AS "R & R TRASH REMOVAL SERVICE," 2950 WEST 74TH AVENUE, WESTMINSTER, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 21418-PP

September 27, 1965

Appearances: Robert A. Gosselin, Westminster, Colorado, pro se;
Leslie R. Kehl, Esq., Denver, Colorado, for Metropolitan Trash, Inc., Best-Way Disposal, Alex Gerlach.

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 ashes, trash, and other waste materials, for the City of Westminster, only, from the Standley Lake Recreation Area, to regularly designated and approved dumps and disposal places outside Westminster, 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 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 Robert A. Gosselin testified that he does business as "R & R Trash Removal Service" and owns PUC No. 4277 which covers only the area of Westminster, Colorado, for ash and trash removal; that the

purpose of the instant application is to secure a Class "B" permit for the removal of trash at the Standley Lake Recreation area which is located approximately five miles northwest of Westminster, Colorado; that this area is operated by the City of Westminster and he has a contract with the City of Westminster for this service; that he has temporary authority for 90 days to provide this service and has been handling this transportation need for this period of time; that the contract which he has with the City of Westminster consists of an invoice authorizing him to handle the trash removal at the Standley Lake Recreation area for the sum of $80.00 per month.

Mr. Gosselin further testified that he is financially able to provide this service as well as the service he is presently providing for approximately 1100 customers in Westminster, Colorado, and that he has adequate equipment and sufficient experience to fully accommodate the needs of the City of Westminster for trash removal at the Standley Lake Recreation area.

Alex Gerlach, Wheatridge, Colorado, appeared and testified in protest to the granting of the instant application, stating that he is the owner of PUC No. 5342 which authorizes ash and trash removal in the area of the Standley Lake Recreation region, and in fact, the City of Westminster had once approached him regarding this job but had never contracted him later on it; that many of his customers are presently located near the Standley Lake Recreation area and therefore, he could very conveniently provide the transportation service of trash required by the City of Westminster.

Witnesses Marion Gilreath, President of Metropolitan Trash, Inc., and owner of PUC No. 2127, and Andrew J. Bosman, Best-Way Disposal, owner of PUC No. 2097, both testified that their ash and trash authorities authorize them to remove ash and trash at the Standley Lake Recreation area; that the City of Westminster had never approached them regarding transportation needs in this regard; that they had cus-

tomers near the Standley Lake Recreation area, and it would therefore be convenient for them to remove the trash at the Standley Lake Recreation area.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that applicant is financially able, sufficiently experienced and has the equipment necessary to provide for the ash and trash removal of the Standley Lake Recreation area operated by the City of Westminster which is located approximately five miles northwest of Westminster, Colorado; that the City of Westminster, Colorado, has made an agreement with the Applicant to provide ash and trash removal service at this location for the sum of $80.00 per month; and that under a temporary authority, the Applicant has been providing this service for the past 90 days; that applicant is also the owner of PUC No. 4277 authorizing ash and trash removal in the City of Westminster where he presently serves approximately 1100 customers; that although there are other common carriers as shown by the evidence who own PUC certificates permitting ash and trash removal in the same area, it appears from all the evidence that it would not be contrary to the public interest to grant the within application; that the evidence did not establish that the granting of the instant application would impair the efficient public service of any common carriers who are authorized to remove ash and trash in the area pertinent to the instant application; and that the granting of 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 Robert A. Gosselin, doing business as "R & R Trash Removal Service," Westminster, Colorado, be, and hereby is, authorized

to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of ashes, trash and other waste materials for one customer only, to-wit: the City of Westminster, Colorado, at the location of Standley Lake Recreation area located approximately five miles northwest of Westminster, Colorado, to regularly designated and approved dumps and disposal places outside Westminster, 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

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Commissioners

Dated at Denver, Colorado,
this 27th day of September, 1965.

Decision No. 65929

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
LENNART WALLDEN DBA)
HILL TOP-DENVER TRUCK LINE)
Parker, Colorado 80134)
)
)

AUTHORITY NO. PUC 3787

CASE NO. 1709 Ins.

September 27, 1965

S T A T E M E N T

By the Commission:

On August 19, 1965, 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 27th day of September, 1965

Decision No. 65930

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
FRIDEN INC.)
1250 Bannock Street)
Denver, Colorado 80204)
)
)
-)

AUTHORITY NO. M 14215

CASE NO. 2373 Ins.

September 27, 1965

S T A T E M E N T

By the Commission:

On September 23, 1965, 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

Ruth C. Horton

Commissioners

Dated at Denver, Colorado,
this 27th day of September, 1965

Decision No. 65931

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
NORTHRUP KING AND COMPANY)
1621 West 12th Avenue)
Denver, Colorado 80204)
)
)
)

AUTHORITY NO. M 9831

CASE NO. 2353 Ins.

September 27, 1965

S T A T E M E N T

By the Commission:

On September 23, 1965, 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

Robin E. Marlow

Commissioners

Dated at Denver, Colorado,
this 27th day of September, 1965

(Decision No. 65932)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF HANS K. PETERSEN, 274 ESTES PARK ROAD, LOVELAND, COLORADO, FOR AUTHORITY TO TRANSFER PERMIT NO. B-5128 AND PERMIT NO. B-5128-I TO CHRIS LARSEN AND DOROTHY ANN LARSEN, 860 CLEVELAND AVENUE, LOVELAND, COLORADO.

APPLICATION NO. 21246-PP-Transfer
SUPPLEMENTAL ORDER

September 27, 1965

Appearances: Hans K. Petersen, Loveland, Colorado, pro se;
Chris Larsen and Dorothy Ann Larsen, Loveland, Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On July 29, 1965, the Commission entered its Decision No. 65478 in the above-styled application, authorizing Hans K. Petersen, Loveland, Colorado, to transfer Permit No. B-5128 and Permit No. B-5128-I to Chris Larsen and Dorothy Ann Larsen, Loveland, Colorado.

It now appears that said Decision No. 65478 should include exception to certain Rules and Regulations Governing Private Carriers of the Commission as set forth in the original grant of authority under Permit No. B-5128 and Permit No. B-5128-I.

The Commission states and finds that Decision No. 65478 should be amended, nunc pro tunc, as of July 29, 1965, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 65478, dated July 29, 1965, be, and the same hereby is, amended, nunc pro tunc, as of said 29th day of July, 1965, by inserting after paragraph one, page 3, of the Order, the

following:

"That Transferees herein need not comply, and hereby are 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 the Colorado and Southern Railway Company and The Great Western Railway Company, at Loveland, Colorado.

"3. Rule 15 (3), pertaining to cargo insurance.

"4. Rule 18, pertaining to contracts and customer lists.

"5. Rule 19, pertaining to rates and charges.

"6. Rule 20, pertaining to the filing of tariffs.

"7. Rule 21, pertaining to compilation of tariffs and classifications.

"8. Rule 22, pertaining to bills of lading.

"9. Rule 23, pertaining to load sheets or manifests.

"10. Rule 25, pertaining to C. O. D. shipments.

"That the right of transferees to operate hereunder shall depend upon their compliance with all present and future laws and regulations of the Commission, except as specifically exempted, supra."

That except as herein amended, said Decision No. 65478 shall

remain the same and be in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 27th day of September, 1965.

(Decision No. 65933)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF THE CITY OF LOVELAND FOR AUTHORITY TO INSTALL GRADE CROSSING PROTECTION DEVICES AT GARFIELD AVENUE, CITY OF LOVELAND, COLORADO, AND MILE POST 61.96 OF THE COLORADO AND SOUTHERN RAILWAY COMPANY.

APPLICATION NO. 21326

September 27, 1965

Appearances: Conrad L. Ball, Esq., Loveland, Colorado, for City of Loveland, Applicant;
W. L. Peck, Esq., Denver, Colorado, for The Colorado and Southern Railway Company;
Robert P. Fullerton, Esq., Denver, Colorado, for the Staff of the Commission.

S T A T E M E N T

BY THE COMMISSION:

The above-entitled application was filed with the Commission on July 13, 1965; thereafter, it was set to be heard before the Commission on September 13, 1965, at the Commission Hearing Room, 532 State Services Building, Denver, Colorado.

Following usual notice to all interested parties, to the County of Larimer, and to owners of adjacent property, the matter was heard as scheduled.

Purpose of the application is to secure Commission approval for the proposed improvement of the crossing of Garfield Avenue, a city street in the City of Loveland, Colorado, over the track of The Colorado and Southern Railway Company by installation of automatic railroad flasher signals, "No Left Turn" signal, and bells under the terms of Chapter 236, Session Laws of Colorado, 1965. The hearing was consolidated with the hearing on the application of the County of

Larimer for installation of automatic railroad flasher signals and bells at West 29th Street and The Colorado and Southern Railway Company for the purpose of convenience, but separate orders are to be entered.

At the hearing Mr. Walter Kane, City Manager of the City of Loveland, Colorado, offered as Exhibit No. 1 a white drawing showing the location of Garfield Avenue and its relation to The Colorado and Southern Railway Company and the new high school recently constructed in the City of Loveland. Garfield Avenue runs north and south across the main line of The Colorado and Southern Railway Company, and is considered a main street. The City is planning to widen Garfield Avenue and has agreed with the Railway Company to widen this crossing. Garfield Avenue has a posted speed limit of thirty (30) miles per hour. It is not part of any state or federal highway system and no federal or federal-aid highway act funds are available for the proposed installation. The crossing is presently protected by standard railroad crossbuck signs but due to the increase in the size of the City of Loveland and construction of the new high school, vehicular traffic using Garfield Avenue has increased considerably over the past several years. A recent traffic count showed an average of 2,088 cars per day, with peak travel between 5:00 p.m. and 6:00 p.m. of 200 cars per hour, and between 7:00 a.m. and 8:00 a.m. and 8:00 a.m. and 9:00 a.m., of 140 cars per hour. 22nd Street intersects with Garfield Avenue just north of the crossing, and it is proposed that a "No Left Turn" signal be installed at the intersection of 22nd Street and Garfield Avenue which would be actuated at the same time as the automatic railroad flasher signals. It is further proposed that a no parking zone be created to the east so that this signal will not be obstructed. The installation of the automatic railroad flasher signals, "No Left Turn" signal, and bells would provide additional protection to the traveling public.

Mr. Kane testified that in his opinion the most equitable way to allocate cost of the protection installation would be for the Railway Company to pay 10 per cent, the City to pay 10 per cent, and the remaining 80 per cent to be paid from the Highway Crossing Protection Fund.

Mr. Ray Patterson also testified on behalf of the City of Loveland. He has been Mayor for four years and is also Assistant Superintendent of Schools and is in charge of school transportation. He has been on the City Council for twelve years and has been associated with the schools for 29 years. He lives in the area of the Garfield Avenue crossing and uses that crossing every day. There have been numerous complaints concerning this crossing, and he estimates that approximately 250 cars per day use it going to high school. The school system operates 33 buses and 47 routes and although efforts have been made to reroute some of the buses so as to avoid necessity of crossing the railroad tracks, it is not possible to eliminate too much in view of the large population living to the east of the main line of the Railway Company.

The City of Loveland has entered into a covering agreement with The Colorado and Southern Railway Company, dated June 30, 1965, which is attached to the application. That agreement has attached to it three exhibits; Exhibit A showing the location of the proposed automatic railroad flasher signals, "No Left Turn" signal, and bells, Exhibit B the type of signals to be installed, and Exhibit C an estimate of the total cost of installing said automatic railroad flasher signals, "No Left Turn" signal, and bells, which estimated cost is Thirteen Thousand Forty-Seven and No/100 Dollars ($13,047.00). Estimated cost to City of Loveland for crossing extension is $337.00.

Evidence was presented by the Railway Company as to the agreement of June 30, 1965, the operation of signals, and the train operations over said crossing.

Mr. G. W. Haffey, Principal Assistant Engineer, The Colorado and Southern Railway Company, Denver, Colorado, stated that an agreement had been entered into between the Railway Company and the City, and that said agreement was attached to the application. He further testified that automatic flasher light signals and bells were a common installation and that they were more effective for protecting a crossing than crossbuck signs. With regard to the estimate of the cost of installation, Mr. Haffey stated that he made crossing estimates in his office and that it was made in the same manner as those prepared in connection with installations made for the State Highway Department and the U. S. Bureau of Public Roads. He stated that it was his experience there was usually little difference between the estimate and the final actual cost, most differences arising from increased material prices and labor costs which occurred between the time of the making of the estimate and the installation.

Mr. A. M. Horn, Superintendent of Communications and Signals, The Colorado and Southern Railway Company, Denver, Colorado, testified that the signals that were to be installed were the standard type of automatic railroad flasher light signals and bells as approved and recommended by the Association of American Railroads. He stated that the circuits to be installed at this crossing for trains moving in either direction would allow twenty-five seconds between the time the train hit the circuit and reached the crossing based on the maximum speed of 40 miles per hour allowed for the trains over this crossing. He further stated it would be approximately ninety days after ordering the material before it would be received by the Railway Company.

Mr. E. C. Ackerman, Superintendent, The Colorado and Southern Railway Company, Denver, Colorado, testified that this crossing came within his jurisdiction and that he was familiar with the same. He stated that there are six regular trains using this crossing in a twenty-four hour period, that is, one passenger train each way,

one through freight train each way, and one local freight train each way. The local freight train does not always run seven days a week. He further stated that during the beet season there were additional trains which used this crossing. There are no industrial tracks near this crossing so there are no engines switching in this vicinity. To the best of his knowledge there had been no accidents at this crossing, but that automatic railroad flasher light signals and bells would provide additional protection to both the Railway Company and the public and would therefore be of benefit to the Railway Company.

The Railway Company stated that it believed an allocation of ten (10) percent of the final cost to the City and eighty (80) per cent to the Grade Crossing Protection Fund would be an equitable allocation of the costs as contemplated by Chapter 236, Session Laws of Colorado, 1965.

F I N D I N G S

THE COMMISSION FINDS:

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

That public safety, convenience, and necessity require the installation of automatic railroad flasher light signals, "No Left Turn" signal, and bells at the grade crossing of Garfield Avenue, City of Loveland, Colorado, and the main line of The Colorado and Southern Railway Company at its Mile Post 61.96.

That the circumstances surrounding the use of such crossing, present and future, are such as to require the installation of highway-railroad crossing protection as provided by Chapter 236, Session Laws of Colorado, 1965, and that the cost of installation and maintenance and the expense of such signals shall be allocated as hereinafter set forth.

That the authority sought in the instant application should be granted for extension of the crossing and installation of protection

devices as noted.

That no part of the cost of the installation of railroad flashing light signals and bells at the crossing will be paid from funds available under any federal or federal-aid highway act.

O R D E R

THE COMMISSION ORDERS:

That the applicant, City of Loveland, State of Colorado, be, and it hereby is, granted a certificate of public convenience and necessity to authorize and approve: (a) extension of the crossing and (b) the installation and operation of standard railroad flasher signals, "No Left Turn" signal, and bells at the grade crossing of The Colorado and Southern Railway Company at its Mile Post 61.96 and Garfield Avenue, Loveland, Colorado.

That the work to be done, installation, and maintenance of the signals and bells shall be done by the Railway Company as set forth in the agreement between the Railway Company and the City of Loveland as indicated in the preceding statement, which statement and Exhibit No. 1 are by reference made a part hereof.

That it is fair, just, and equitable that the City of Loveland pay full cost of the crossing extension and ten (10) per cent of the cost of the installation of proposed automatic railroad flasher signals, "No Left Turn" signal, and bells to cover its share of benefits received from such installation, and upon completion of the proposed work, an itemized statement of the actual costs, and a bill covering said ten (10) per cent therefor shall be forwarded by the Railway Company to the City of Loveland, which bill shall be paid by the City to the Railway Company in thirty (30) days of receipt thereof.

That the Railway Company shall contribute out of its own funds ten (10) per cent of the cost of said signal installation and shall thereafter maintain said installation as its share of the benefits.

That the remainder, or eighty (80) per cent of the cost of said signal installation shall be contributed out of the Highway Crossing Protection Fund, and upon completion of the proposed work, itemized statement of the actual costs, and a bill covering said eighty (80) per cent thereof shall be forwarded by the Railway Company to the Commission, which bill shall be paid within thirty (30) days after receipt thereof.

That the Commission hereby retains jurisdiction to make such further Order, or Orders, as may be required in the instant matter.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 27th day of September, 1965.

et

(Decision No. 65934)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
JOHN L. HEMMERT, 5455 NORTH FEDERAL BOULEBARD, DENVER 21, COLORADO.) PERMIT NO. M-7611

September 30, 1965

STATEMENT

By the Commission:

The Commission is in receipt of a communication from John L. Hemmert, Denver 21, Colorado requesting that Permit No. M-7611 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7611, heretofore issued to John L. Hemmert, Denver 21, Colorado be,

and the same is hereby, declared cancelled effective September 4, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard S. Bjelland

Ralph L. Carlson

Commissioners

Dated at Denver, Colorado,

this 30th day of September, 19 65.

hc

(Decision No. 65935)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF EARL E. YOUNG, DOING BUSINESS AS "YOUNG BROS. TRANSFER & STORAGE COMPANY," 1531 19TH STREET, DENVER, COLORADO.	PUC NO. 624 & PUC NO. 624-I

September 27, 1965

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 operations under PUC NO. 624 and PUC NO. 624-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."

From the records of the Commission, it does not appear that Applicant's financial statement on file with the Commission warrants granting of waiver requested.

The Commission states and finds that said request should be denied.

O R D E R

THE COMMISSION ORDERS:

That request of Earl E. Young, doing business as "Young Bros. Transfer & Storage Company," Denver, Colorado, for written waiver of the provisions of Section (a) of Rule 24 of Rules and Regulations Governing Common Carriers by Motor Vehicle in operations under PUC No. 624 and PUC NO. 624-I 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

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 27th day of September, 1965.

ls

(Decision No. 65936)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF CARLOS GRAY, DOING BUSINESS AS "GRAY'S GARAGE," KEENESBURG, COLORADO.

PUC NO. 410

September 27, 1965

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 operations under PUC NO. 410.

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."

From the records of the Commission, it does not appear that Applicant's financial statement on file with the Commission warrants granting of waiver requested.

The Commission states and finds that said request should be denied.

O R D E R

THE COMMISSION ORDERS:

That request of Carlos Gray, doing business as "Gray's Garage," Keenesburg, Colorado, for written waiver of the provisions of Section (a) of Rule 24 of Rules and Regulations Governing Common Carriers by Motor Vehicle in operations under PUC NO. 410 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

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 27th day of September, 1965.

(Decision No. 65937)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
FRED T. GIBSON, DOING BUSINESS AS)
"GIBSON TRUCK LINE," BOX 70, LA JARA,) PUC NO. 1520, PUC NO.1520-I
COLORADO.) PUC NO. 1646, PUC NO. 2064,
- PUC NO. 2337

- - - - - - - - -
September 27,1965
- - - - - - - - -

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 operations under PUC No. 1520, PUC No. 1520-I, PUC No.1646, PUC No. 2064, and PUC No. 2337.

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."

From the records of the Commission, it does not appear that Applicant's financial statement on file with the Commission warrants granting of waiver requested.

The Commission states and finds that said request should be denied.

O R D E R

THE COMMISSION ORDERS:

That request of Fred T. Gibson, doing business as "Gibson Truck Line," La Jara, Colorado, for written waiver of the provisions of Section (a) of Rule 24 of Rules and Regulations Governing Common Carriers by Motor Vehicle in operations under PUC No.1520, PUC No. 1520-I, PUC No. 1646, PUC No. 2064, PUC No. 2337 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

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 27th day of September, 1965.

et

Decision No. 65938

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
VERNON A. CASADY AND EUGENE S.)
CHRISTENSEN)
WORLD DISTRIBUTORS)
P.O. Box 4066)
Denver, Colorado 80204)
-)

AUTHORITY NO. M 13608

CASE NO. 1933 Ins.

September 28, 1965

S T A T E M E N T

By the Commission:

On September 2, 1965, 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 28th day of September, 1965

(Decision No. 65939)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF NORTH DENVER STORAGE COMPANY, DOING BUSINESS AS "WEICKER TRANSPORT COMPANY," 2101 MARKET STREET, DENVER, COLORADO.

PERMIT NO. B-802

September 27, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

A written request from the above carrier has been received for a waiver from the Commission of its Rule relating to the filing of cash, or a surety bond, concerning C.O.D. shipments.

Upon full consideration of the matter the Commission states and finds that to grant the request will not be in the public interest and should be denied.

O R D E R

THE COMMISSION ORDERS:

That the request above referred to be, and the same hereby is, denied.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 27th day of September, 1965.

(Decision No. 65940)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF CECIL B. THOMPSON AND GALE A. THOMPSON, P. O. BOX 474, 364 LAFAVER STREET, WALDEN, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 21453-PP

September 27,1965

Appearances: Cecil B. Thompson, Walden, Colorado, pro se;
Gale A. Thompson, Walden, 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.

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 of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, Gale A. Thompson, one of the Applicants herein appeared and testified on behalf of himself and Cecil B. Thompson in support of the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that they have ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

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 services; 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 to the Commission that the 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 the granting of 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 Cecil B. Thompson and Gale A. Thompson, Walden, Colorado, be, and hereby are, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of unfinished timber products between points within a 50-mile radius of Walden, 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 have secured authority sheets.

That right of Applicants to operate hereunder shall depend on their compliance with all present and future laws and rules and regulations of this Commission.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT
PARTICIPATING

Dated at Denver, Colorado,
this 27th day of September, 1965

et

(Decision No. 65941)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DOYLE D. JAMES, FRASER, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE) APPLICATION NO. 21446-PP
AS A PRIVATE CARRIER BY MOTOR)
VEHICLE FOR HIRE.)

September 27,1965

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.

Said application was regularly set for hearing before the Commission, and an Examiner was duly designated to conduct hearing on said application, 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. Report of the Examiner further states that the files disclose that Applicant phoned the Commission on September 7, 1965, stating that he had wrecked his truck, and requested that the application be dismissed as he did not believe he would purchase another truck.

The Commission, having considered the files and the written statement of the Examiner herein, states and finds that the instant application should be dismissed.

O R D E R

THE COMMISSION ORDERS:

That Application No. 21446-PP be, and the same hereby is, dismissed.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 27th day of September, 1965

et

(Decision No. 65942)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MARTIN BJORKE, JR., RIO BLANCO,)
COLORADO, FOR A CLASS "B" PERMIT TO) APPLICATION NO. 21465-PP
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

September 27,1965

Appearances: Martin Bjorke, Jr., Rio Blanco, 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.

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 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 the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

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 services; 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 to the Commission that the 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 the granting of 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 Martin Bjorke, Jr., Rio Blanco, 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 road-surfacing materials from pits and supply points, to road jobs, small construction jobs, loading points and mixer processing plants within a radius of 50 miles of said pits and supply points in the State of Colorado; also, coal, from the Colowyo Mine and mines in the Axial Basin, to loading points, storage points and in a point to point delivery service in a 50-mile radius of Rio Blanco, 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 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 hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 27th day of September, 1965

et

(Decision No. 65943)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF K. C. ELECTRIC ASSOCIATION, A COLORADO CORPORATION, HUGO, COLORADO, FOR AN ORDER AUTHORIZING THE ISSUANCE OF SECURITIES AND THE APPLICATION OF THE PROCEEDS THEREFROM.

APPLICATION NO. 21467
SECURITIES

September 27, 1965

Appearances: T. H. Thomas, Esq., Burlington, Colorado, for Applicant;
B. D. Maggard, Denver, Colorado, of the Staff of the Commission.

S T A T E M E N T

BY THE COMMISSION:

By this application filed September 1, 1965, K. C. Electric Association (K. C.) seeks authority from this Commission to issue a Mortgage Note in the principal amount of $523,000 payable to the United States of America bearing interest at the rate of two per cent (2%) per annum and payable over a period of thirty-five (35) years after date thereof; a Supplemental Mortgage as security for such note; approval of an amendment dated as of July 1, 1965 to Amending Loan Contract dated as of July 16, 1951, as amended, between K. C. Electric Association and United States of America, setting a maximum amount of $5,594,000, which may be borrowed by Applicant; and approval of the application of the proceeds from the loan to specified purposes.

The matter was set for hearing, after due notice to all interested parties, on September 17, 1965, at 9:00 o'clock A. M. at the Commission Hearing Room, 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 in regard to this

application and no one appeared at the hearing in opposition to the granting of the authority sought.

Applicant is a corporation organized without purpose of gain or profit to itself and existing under the laws of the State of Colorado and particularly under the provisions of Article 2 of Chapter 30 of the Colorado Revised Statutes, 1963, being a Cooperative Association, with its office and principal place of business in Hugo, Lincoln County, Colorado. Its Articles of Incorporation with amendments thereto, properly certified as of August 24, 1948, are on file with this Commission in Application No. 9448. By this Commission's Decision and Order No. 58566, dated May 11, 1962, Application No. 19024, K. C. Electric Association was declared to be a public utility and granted a full certificate of public convenience and necessity to serve within the territory delineated therein. Heretofore, this Commission has approved previous borrowings in Decision Nos. 40226, 41835, 50913, 56795, 57000, 58484 and 62914.

Applicant is engaged in the business of purchasing, acquiring and accumulating electric energy, and the transmission, distribution, selling and furnishing of such electric energy to its member and non-member consumers located in the Counties of Kit Carson, Cheyenne and Lincoln, including the towns and communities therein of Bethune, Stratton, Vona, Seibert, Flagler, Hugo, Arriba, Bovina, Cheyenne Wells, Kit Carson, Arapahoe, Aroya, Wild Horse and First View, all in the State of Colorado. K. C. owns and operates the electric facilities necessary to serve its consumers in said Counties, and as a member of Tri-State Generation and Transmission Association, obtains its entire electric energy requirements under a contract between the two associations.

Applicant's witness, John Rose, Manager of K. C. Electric Association, testified summarily as follows: K. C. will require additional funds for the construction, extension, and improvement of

facilities, therein affording increased capacity of presently fully loaded substations at Burlington and Cheyenne Wells, all in order to render increased and better service to its consumers and to provide better and improved sources of power. The 20 miles of transmission line and attendant facilities proposed to be constructed will afford loop source service into the system from either Burlington or, as at present, from Limon only. To obtain these additional funds, K. C. has entered into an Amending Loan Contract with United States of America in the form of the copy introduced into evidence by Mr. Rose as Exhibit A. In compliance with this Amending Loan Contract, the United States Government proposes to loan K. C. $523,000 to be evidenced by a Mortgage Note in essentially the same form as that introduced into evidence as Exhibit C. To secure payment of the $523,000 principal amount of the Mortgage Note, applicant proposes to issue to United States of America a Supplemental Mortgage in the form of Exhibit B also introduced into evidence by Applicant's witness.

Also introduced into evidence by Mr. Rose were Exhibits D, the Association's Balance Sheet at August 31, 1965, and Exhibit E, Statement of Operations for the 12 months ending August 31, 1965. The Balance Sheet indicates that the Association had long term debt obligations to R. E. A. in the amount of $3,325,442 and total proprietary equities and margins of $470,948, resulting in an equity ratio of 12.4% of the total capitalization. The Operating Statement indicates Patronage Capital and Margins resulting from the twelve-month period in the amount of $139,981.

As evidence of the feasibility of the proposed capital expenditure there was introduced into evidence by Applicant's witness, Exhibit G, Rural Electrification Administration Loan Feasibility Study prepared by Mr. Rose, R.E.A., and their engineers. This study indicates that the estimated average annual receipts for the year 1967 would result in $79,741 margin over total annual expenditures

after the added debt repayment and interest requirement of $20,900, occasioned by the $523,000 borrowing and reflecting also the results of a recent rate reduction to consumers. Mr. Rose stated that in his opinion the additional debt service resulting from the $523,000 borrowing will in no way jeopardize the financial position of K. C. Electric Association, adding that the Association is current in payment of its debt obligations and has approximately $475,000 of advance payments available as a "cushion of credit" with R.E.A., a portion of which could be applied to current debt payment obligations in the event of emergency. This amount constitutes approximately two years' debt service. K. C. also has a reserve of approximately $380,000 in its Renewal and Replacement Reserve Fund against losses such as storm damage. Mr. Rose stated that very minor storm damage was incurred during the recent floods.

K. C. proposes to use the $523,000 for the construction and installation of the following facilities, as set forth in the Cost Estimates and Loan Budget introduced into evidence as Exhibit F, prepared January 19, 1965, by Miner & Miner, Consulting Engineers:

Distribution:		
New three phase lines and services	4.6 miles	$ 12,050
New tie lines	1.0 miles	2,500
New Burlington Substation, Switching, etc.		120,000
Increase Cheyenne Wells Substation Capacity		30,000
Transformers, Meters and Services		43,650
Sectionalizing Equipment		5,000
Regulators		18,000
Oil Circuit Reclosers		4,500
Right-of-Way Easements		1,000
Engineering Fees (Substations only)		6,000
Total Distribution		242,700
Transmission:		
New 115 Kv line	20 miles	200,000
New Switching Station, 69 Kv - Intersection of Cheyenne Wells 69 Kv line		15,000
New OCB, 115 Kv, complete with switching and relaying - Idalia		35,000
Procurement of 1 substation site		2,000
Procurement of Right-of-way		10,000
Engineering Fees		18,300
Total Transmission		280,300
Total Proposed Construction		$523,000

F I N D I N G S

THE COMMISSION FINDS:

That applicant, K. C. Electric Association, is a public utility as defined in Chapter 115-1-3, Colorado Revised Statutes, 1963.

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

That this Commission is fully advised in the premises.

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

That the issuance by K. C. Electric Association of the Mortgage Note to the United States of America in the principal amount of $523,000, in essentially the same form as Exhibit C herein, should be authorized and approved.

That the Amendment dated July 1, 1965, to Amending Loan Contract dated as of July 16, 1951, as amended, between K. C. Electric Association and United States of America, in the amount and form of Exhibit A herein, should be authorized and approved.

That the issuance by K. C. Electric Association of the Supplemental Mortgage to United States of America, in the amount and form of Exhibit B herein, should be authorized and approved.

That the issuance of the Mortgage Note in the amount of $523,000 and the application of the proceeds of the loan by K. C. Electric Association to the purposes set forth in the foregoing Statement are not inconsistent with the public interest or with the provisions of law governing such transactions.

That within one hundred twenty (120) days of the execution of the Mortgage Note in the principal amount of $523,000, applicant should file with this Commission one conformed copy of such executed note and of each other instrument made in connection therewith.

O R D E R

THE COMMISSION ORDERS:

That the issuance by K. C. Electric Association of the Mortgage

Note to the United States of America in the principal amount of $523,000, in essentially the same form as Exhibit C herein, be, and the same is hereby authorized and approved.

That the Amendment dated July 1, 1965, to Amending Loan Contract dated as of July 16, 1951, as amended, between K. C. Electric Association and United States of America, in the amount and form of Exhibit A herein, be, and the same is hereby, authorized and approved.

That the issuance by K. C. Electric Association of the Supplemental Mortgage to United States of America, in the amount and form of Exhibit B herein, be, and the same is hereby, authorized and approved.

That within one hundred twenty (120) days of the execution of the Mortgage Note in the principal amount of $523,000 authorized herein, K. C. Electric Association shall file with this Commission one conformed copy of such executed note and of each other instrument 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 this Commission shall retain jurisdiction of these proceedings to the end that it may make such further Order or Orders in the premises which it may deem to be proper and desirable.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 27th day of September, 1965.
ls

(Decision No. 65944)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
WILLETT DAIRY FARM & CATTLE COMPANY,)
4020 WILLWOOD ROAD, COLORADO) APPLICATION NO. 21363
SPRINGS, COLORADO.)

September 27,1965

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 operations under common carrier authority granted by Decision No. 65852, dated September 16, 1965.

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."

From the records of the Commission, it does not appear that Applicant's financial statement on file with the Commission warrants granting of waiver requested.

The Commission states and finds that said request should be denied.

O R D E R

THE COMMISSION ORDERS:

That request of Willett Dairy Farm & Cattle Company, Colorado Springs, Colorado, for written waiver of the provisions of Section (a) of Rule 24 of Rules and Regulations Governing Common Carriers by Motor Vehicle in operations under common carrier authority granted by Decision No. 65852, dated September 16, 1965, 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 27th day of September, 1965

et

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT
PARTICIPATING

(Decision No.65945)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF L. JAMES AVERETT AND CECIL AVERETT, DOING BUSINESS AS "AVERETT & SON TRUCKING CO.," P. O. BOX 104, COWLEY, WYOMING, FOR AUTHORITY TO TRANSFER INTERSTATE OPERATING RIGHTS TO DONALD J. KELSEY, 153 CARMEN AVENUE, LOVELL, WYOMING.

PERMIT NO. B-6130-I-Transfer

September 27,1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, L. James Averett and Cecil Averett, doing business as "Averett & Son Trucking Co.," Cowley, Wyoming, were granted a permit to operate as a private carrier by motor vehicle for hire, Permit No. B-6130-I:

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

Said permit-holders now seek authority to transfer Permit No. B-6130-I to Donald J. Kelsey, Lovell, Wyoming.

Inasmuch as the records and files of the Commission fail to disclose any reason why said transfer should not be authorized, the Commission states and finds that the proposed transfer is compatible with the public interest, and should be authorized, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That L. James Averett and Cecil Averett, doing business as "Averett & Son Trucking Co.," Cowley, Wyoming, be, and they hereby are, authorized to transfer all right, title and interest in and to

Permit No. B-6130-I -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Donald J. Kelsey, Lovell, Wyoming, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended, and subject to encumbrances, if any, against said permit approved by this Commission.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER HOWARD S. BJELLAND NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 27th day of September, 1965

et

(Decision No. 65946)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF COLORADO TANK LINES, INCORPORATED, 3455 EAST 52ND AVENUE, DENVER, COLORADO.

PERMIT NO. B-2376

September 27,1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission is in receipt of a communication from the above-styled permit-holder, requesting authority to change the corporate name from C.T.L. Inc. to Colorado Tank Lines Incorporated in the conduct of operations under Permit No. B-2376.

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-2376 to be owned and operated by:

"Colorado Tank Lines Incorporated,"

in lieu of:

"C. T. L. Inc."

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 27th day of September, 1965

et

(Decision No. 65947)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF THE COUNTY OF LARIMER FOR AUTHORITY TO INSTALL GRADE CROSSING PROTECTION DEVICES AT WEST 29TH STREET, LARIMER COUNTY, NEAR LOVELAND, COLORADO, AND MILE POST 62.47 OF THE COLORADO AND SOUTHERN RAILWAY COMPANY.

APPLICATION NO. 21325

September 27, 1965

Appearances: Conrad L. Ball, Esq., Loveland, Colorado, for County of Larimer, Applicant;
W. L. Peck, Esq., Denver, Colorado, for The Colorado and Southern Railway Company;
Robert P. Fullerton, Esq., Denver, Colorado, for the Staff of the Commission.

STATEMENT

BY THE COMMISSION:

The above-entitled application was filed with the Commission on July 13, 1965; thereafter, it was set to be heard before the Commission on September 13, 1965, at the Commission Hearing Room, 532 State Services Building, Denver, Colorado.

Following usual notice to all interested parties, to the City of Loveland, and to owners of adjacent property, the matter was heard as scheduled.

Purpose of the application is to secure Commission approval for the proposed improvement of the crossing of West 29th Street, a county road in Larimer County, Colorado, over the track of The Colorado and Southern Railway Company by installation of automatic railroad flasher signals and bells under the terms of Chapter 236, Session Laws of Colorado, 1965. The hearing was consolidated with the hearing on the application of the City of Loveland for installa-

tion of automatic railroad flasher signals and bells at Garfield Avenue and The Colorado and Southern Railway Company for the purpose of convenience, but separate orders are to be entered.

At the hearing, Mr. Warren F. Wolaver, Loveland, Colorado, who is one of the Larimer County Commissioners, offered as Exhibit No. 1 a white drawing showing the location of West 29th Street and its relation to the main line of The Colorado and Southern Railway Company, the City of Loveland, and the new high school recently constructed in the City of Loveland. West 29th Street runs east and west across the main line of The Colorado and Southern Railway Company, and is a twenty-four (24) foot asphalt road with a posted speed limit of thirty (30) miles per hour. It is not part of any city, state, or federal highway system, and no part of the cost of any signals or devices will be paid from funds available under any federal or federal-aid highway act. The crossing is presently protected by standard railroad crossbuck signs, but due to the increase in the size of the City of Loveland and construction of the new high school, which is approximately six to seven blocks west of said crossing, the vehicular traffic using said West 29th Street has increased considerably over the past several years. A traffic count taken on September 9, 10, and 11, 1965, showed a total of 10,594 cars using said crossing with an average of 104 cars per hour. Mr. Wolaver estimated that one-third of the traffic to and from the new high school moves over the railroad crossing at West 29th Street. The visibility at said crossing is partially obstructed on the southeast side by plantings of an agricultural nursery, and the installation of automatic railroad flasher signals and bells would provide additional protection to the traveling public.

Mr. Wolaver testified that in his opinion the most equitable way to allocate the cost of this installation would be for the Railway Company to pay ten (10) per cent, the county to pay ten (10) per cent,

and the remaining eighty (80) per cent to be paid from the Highway Crossing Protection Fund.

Larimer County has entered into a covering agreement with The Colorado and Southern Railway Company, dated June 24, 1965, which is attached to the application. That agreement has attached to it three exhibits; Exhibit A showing the location of the proposed automatic flashing light signals and bells, Exhibit B the type of signal to be installed, and Exhibit C an estimate of the total cost of installing said flashing light signals and bells, which estimated cost is Nine Thousand Eight Hundred and Seventy-five Dollars ($9,875.00).

Evidence was presented by the Railway Company as to the agreement of June 24, 1965, the operation of signals, and the train operations over said crossing.

Mr. G. W. Haffey, Principal Assistant Engineer, The Colorado and Southern Railway Company, Denver, Colorado, stated that an agreement had been entered into between the Railway Company and the County, and that said agreement was attached to the application. He further testified that automatic flasher light signals and bells were a common installation and that they were more effective for protecting a crossing than crossbuck signs. With regard to the estimate of the cost of installation, Mr. Haffey stated that he made crossing estimates in his office and that it was made in the same manner as those prepared in connection with installations made for the State Highway Department and the U. S. Bureau of Public Roads. He stated that it was his experience there was usually little difference between the estimate and the final actual cost, most differences arising from increased material prices and labor costs which occurred between the time of the making of the estimate and the installation.

Mr. A. M. Horn, Superintendent of Communications and Signals, The Colorado and Southern Railway Company, Denver, Colorado, testified that the signals that were to be installed were the standard type of

automatic railroad flasher light signals and bells as approved and recommended by the Association of American Railroads. He stated that the circuits to be installed at this crossing for trains moving in either direction would allow twenty-five seconds between the time the train hit the circuit and reached the crossing based on the maximum speed of 40 miles per hour allowed for the trains over this crossing. He further stated it would be approximately ninety days after ordering the material before it would be received by the Railway Company.

Mr. E. C. Ackerman, Superintendent, The Colorado and Southern Railway Company, Denver, Colorado, testified that this crossing came within his jurisdiction and that he was familiar with the same. He stated that there are six regular trains using this crossing in a twenty-four hour period; that is, one passenger train each way, one through freight train each way, and one local freight train each way. The local freight train does not always run seven days a week. He further stated that during the beet season there were additional trains which used this crossing. There are no industrial tracks near this crossing so there are no engines switching in this vicinity. To the best of his knowledge there had been no accidents at this crossing, but that automatic railroad flasher light signals and bells would provide additional protection to both the Railway Company and the public and would therefore be of benefit to the Railway Company.

The Railway Company stated that it believed an allocation of ten (10) per cent of the final cost to the County and eight (80) per cent to the Grade Crossing Protection Fund would be an equitable allocation of the costs as contemplated by Chapter 236, Session Laws of Colorado, 1965.

F I N D I N G S

THE COMMISSION FINDS:

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

That public safety, convenience, and necessity require the installation of automatic railroad flasher light signals and bells at the grade crossing of West 29th Street, Larimer County, near the City of Loveland,Colorado, over the main line of The Colorado and Southern Railway Company at its Mile Post 62.47.

That the circumstances surrounding the use of such crossing, present and future, are such as to require the installation of highway-railroad crossing protection as provided by Chapter 236, Session Laws of Colorado, 1965, and that the cost of installation and maintenance and the expense of such signals shall be allocated as hereinafter set forth.

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

That no part of the cost of the installation of railroad flasher light signals and bells at the crossing will be paid from funds available under any federal or federal-aid highway act.

O R D E R

THE COMMISSION ORDERS:

That the Applicant, County of Larimer, State of Colorado, be, and it hereby is, granted a certificate of public convenience and necessity to authorize and approve the installation and operation of standard automatic railroad flasher signals and bells at the grade crossing of The Colorado and Southern Railway Company at its Mile Post 62.47 and West 29th Street, near Loveland, Colorado.

That the work to be done, installation, and maintenance of the signals and bells shall be done by the Railway Company as set forth in the agreement between the Railway Company and the County of Larimer as indicated in the preceding statement, which statement and Exhibit No. 1 are by reference made a part hereof.

That it is fair, just, and equitable that the County of Larimer pay ten (10) per cent of the cost of the installation of such

automatic railroad flasher signals and bells to cover its share of benefits received from such installation, and upon completion of the proposed work, an itemized statement of the actual costs, and a bill covering said ten (10) per cent therefor shall be forwarded by the Railway Company to the County of Larimer, which bill shall be paid by the County to the Railway Company within thirty (30) days of receipt thereof.

That the Railway Company shall contribute out of its own funds ten (10) per cent of the cost of said installation and shall thereafter maintain said installation as its share of the benefits.

That the remainder, or eighty (80) per cent of the cost of said installation shall be contributed out of the Highway Crossing Protection Fund, and upon completion of the proposed work, itemized statement of the actual costs, and a bill covering said eighty (80) per cent thereof shall be forwarded by the Railway Company to the Commission, which bill shall be paid within thirty (30) days after receipt thereof.

That the Commission hereby retains jurisdiction to make such further Order, or Orders, as may be required in the instant matter.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 27th day of September, 1965

et

(Decision No. 65948)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF YAMPA VALLEY ELECTRIC ASSOCIATION, INC., A CORPORATION, STEAMBOAT SPRINGS, COLORADO, FOR AN ORDER AUTHORIZING THE ISSUANCE OF SECURITIES AND THE APPLICATION OF THE PROCEEDS THEREFROM TO CERTAIN LAWFUL PURPOSES.

APPLICATION NO. 21521
Securities

September 27, 1965

S T A T E M E N T

BY THE COMMISSION:

Upon consideration of the application filed on September 27, 1965, by Yampa Valley 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 October 11, 1965, at 9:00 o'clock A. M., 532 State Services Building, Denver, Colorado, respecting matters involved and issues presented in the proceeding. Any interested municipality or any representative of interested consumers or security holders of applicant corporation, and any other person whose participation herein is in the public interest, may intervene in said proceeding. Intervention petitions should be filed with the Commission on or before October 5, 1965, and should set forth the grounds of the proposed intervention and the position and interest of the petitioners, in the proceeding and must be subscribed by interveners.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 29th day of September, 1965.

Decision No. 65949

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
BASIN PIPE AND SUPPLY COMPANY)
8646 West Colfax)
Denver, Colorado 80215)
)
)
)

AUTHORITY NO. M 15386

CASE NO. _____

September 29, 1965

S T A T E M E N T

By the Commission:

On September 23, 1965, 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 29th day of September, 1965

Decision No. 65950

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
ROY A. GRAY)
Box 242)
Norwood, Colorado 81423)
)
)
-)

AUTHORITY NO. B 6538

CASE NO. 1936 Ins.

September 29, 1965

S T A T E M E N T

By the Commission:

On August 19, 1965, 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 29th day of September, 1965

(Decision No.65951)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
BEMAN MOTORS TRANSPORTATION, INC.,)
HIGHWAY 50 EAST, P. O. BOX 526,) PUC NO. 641, PUC NO.641-I
ROCKY FORD, COLORADO.) and PERMIT NO. B-6496
- -

- - - - - - - - - -
September 27,1965
- - - - - - - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

A written request from the above carrier has been received for a waiver from the Commission of its Rule relating to the filing of cash, or a surety bond, concerning C.O.D. shipments.

Upon full consideration of the matter the Commission states and finds that to grant the request will not be in the public interest and should be denied.

O R D E R

THE COMMISSION ORDERS:

That the request above referred to, be, and the same hereby is, denied.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT
PARTICIPATING

Dated at Denver, Colorado,
this 27th day of September,1965.

et

(Decision No. 65952)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY AND RAILWAY EXPRESS AGENCY, INC., FOR PERMISSION TO CLOSE THE STATION AT THATCHER, LAS ANIMAS COUNTY, COLORADO, AS AN AGENCY STATION.

APPLICATION NO. 21458

September 27,1965

S T A T E M E N T

BY THE COMMISSION:

Pursuant to Rule No. 6 of this Commission's Rules and Regulations Pertaining to Railroads and Express Companies Operating in the State of Colorado, the Atchison, Topeka and Santa Fe Railway Company (Santa Fe) and Railway Express Agency, Incorporated, on August 27, 1965, filed an application seeking authority to close the joint agency station presently maintained for Rail and Express service at Thatcher, Las Animas County, Colorado.

Thatcher, Colorado, is located approximately 45 miles west from the Agency Station at La Junta and 37 miles east from Trinidad on the Santa Fe Main line extending between Holly, Colorado and Raton, New Mexico. Thatcher is also served by U. S. Highway No. 350, a paved, all-weather road that generally parallels the railroad line between La Junta and Trinidad, Colorado.

Applicant states the Agency Station at Thatcher was originally opened many years ago for operational purposes. Meanwhile, improvements in railroad communications and automatic block signals have simplified railroad controls to the point where continuance of the Thatcher Station is no longer required. With only a small volume of rail business being handled by the Agent, proposal for closing of the

station is made on the basis that only minor public convenience and necessity is involved to handle future station business at either La Junta or Trinidad. Supporting explanatory information and exhibits were offered for Commission consideration. Proposed effective date for requested station closing is October 1, 1965.

In conformance with the Commission rules herein, public notice of the requested change was posted at the Thatcher station on August 20, 1965. Said Notice included the further directions that any public objections should be forwarded to the Public Utilities Commission. No public complaints or protests have been received by the Commission. Inquiry letter of R. O. Norton, General Chairman, Transportation - Communication Employees Union, Topeka, Kansas was received, requesting to be informed of date and place, should a hearing be held in the matter.

It appears that estimated population of the Thatcher community is 125 persons; station hours are 5:00 A.M. to 2:00 P.M. daily except Saturdays and Sundays; in local inquiry, very little public interest is indicated for continued operation of the station.

Upon investigation of this matter by the Commission, it was determined that for many years, main function of the Thatcher station was receipt and passage of Train Orders; since it is nearly centrally located within the 82 mile distance between terminal points of La Junta and Trinidad, Colorado. In fact, telegraph service was maintained on a 24-hour basis and population of the settlement was largely railroad employees. Present Agent, Mr. Smoot, has worked some 43 years for Santa Fe Railway, the last 40 years being at Thatcher. Typical of the changes in the rail industry, he is now the only station man on duty; currently his work has averaged only two Train Orders per day during the five days per week when the station is open.

In further report data it is noted that the area surrounding Thatcher settlement is largely range land; pioneer families settled in

this region following the 1860's; there have been some good crop years and World War I offered high wheat prices; in the Dry Years of the '30's the plains soil began to blow away and farm units were consolidated into Government Grass land conservation projects. During World War II there was some activity due to production of helium gas from nearby wells for rail shipment; that demand has dwindled, and the last six or seven years have been very dry so that not many ranch families remain in the area. Since 1961, high school students have been transported 27 miles south to Hoehne; last year there were 16 pupils in the local grade school - some coming as far as 17 miles by the local school bus.

With reference to exhibit material attached to the instant application, rail activity at Thatcher is summarized as follows:

	1962		1963		1964	
Commodity	Fwd.	Rec.	Fwd.	Rec.	Fwd.	Rec.
Feed (Carloads)		1				
Cattle "	7	14	1			
Hay "				1		
Poles "						1
Pipe Coating "						2
Pipe "						20
TOTALS	7	15	1	1	—	23
Railway Express Shipments	1	8		5		7
LCL Shipments		22	1	27	1	29
Average Weight per Month (LCL)		460#		340#		130#
Total Station Revenue		$1,237		$ 360		$ 782
Station Expense		$7,964		$7,998		$8,291

Analysis of the above station data reveals the limited volume of public service that is required and provided from the Thatcher station. Proposal to remove the joint agent service as an operating economy will not affect the existing rail service; switching service will continue for carloads coming to the station; Agents at Trinidad or La Junta will handle car orders, and notice by U. S. Mail will be given of car spotting; credit arrangements may be made for freight payments; L.C.L. shipments will continue on once-per-week schedule, with delivery to be made by Santa Fe Truck Line to the unlocked rail depot freight house at Thatcher.

The Conditional Stop and Flag Stop service will continue for selected passenger trains. A locked box is proposed for train crew handling of mail and parcel post as a substitute for the Agent handling at Thatcher.

Railway Express Agency shipments are handled as a joint item by the railroad agent. However, volume of this traffic is so minor that future station handling will be a matter of customer choice.

As noted in the application, reason for proposed closing is to eliminate the non-productive station expense. There has been no public interest in the matter and the small traffic volume indicates only minor inconvenience if the station is closed. Meanwhile, operating experience during the times when the Agent is off duty has shown that train operations can also be safely maintained. Hence, it appears reasonable that the instant proposal is made in the interest of improved operating efficiency, wherein elimination of the station expense will offer a savings of some $8,000 annually.

It is, therefore, the belief of the Commission that the proposed station closing is compatible with the public interest and in the absence of public protests thereto, the Commission determined to hear, and has heard said matter forthwith, without further notice upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

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

That safe and economical railroad operation does not require the maintenance of an agent at the Thatcher station, Las Animas County, Colorado.

That there will be a continuation of local switching service and trackage; which, with only minor inconvenience on the whole, will be adequate to meet limited requirements of the Thatcher area.

That the expenses involved in maintaining a joint Agent at Thatcher are not justified in view of the proposed change.

That the public convenience and necessity no longer require the continued maintenance of a joint Agency Station at Thatcher, Colorado, by Atchison, Topeka and Santa Fe Railway Company and Railway Express Agency, Inc.

That said Railroad Company should be authorized to discontinue its joint Agency service but shall accept and pay the telephone toll expense for handling of railroad business from the Thatcher area through the La Junta or Trinidad Agency offices.

O R D E R

THE COMMISSION ORDERS:

That Applicants herein, Atchison, Topeka and Santa Fe Railway Company, and Railway Express Agency, Inc., be, and are hereby authorized to discontinue joint Agency service at Thatcher, Las Animas County, Colorado, and to thereafter maintain same as a prepay or non-agency station served through Agency offices at La Junta or Trinidad, Colorado.

That Atchison, Topeka and Santa Fe Railway Company shall accept and pay telephone toll expense for handling of Thatcher area railroad business through the La Junta or Trinidad Agency offices.

That during any times of seasonal rush or unforeseen need for temporary station service, necessary personnel may be brought in or withdrawn as required, to meet the public needs.

That reference shall be made to this decision in the respective tariff schedules to show closing of the Thatcher agency office and as authority for such action.

That the Commission shall retain jurisdiction in this matter, to make such further Order or Orders as may be required.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 27th day of September, 1965

et

Decision No. 65953

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
DARREL K. OAKLEY)
Box 31)
Benkelman, Nebraska)
)
)
-)

AUTHORITY NO. PUC 3245-I and M 8003
CASE NO. 2286 Ins.

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

September 30, 1965

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

S T A T E M E N T

By the Commission:

On September 23, 1965, 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. Hanlon
Commissioners

Dated at Denver, Colorado,
this 30th day of September, 1965

Decision No. 65954

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
MR. WILLARD HAASE DBA)
H AND H PRINTING AND STATIONERY) AUTHORITY NO. M 7499
118 North Nevada)
Colorado Springs, Colorado 80900) CASE NO. _____
)
-)

- - - - - - - - - - - - - - - -
September 30, 1965
- - - - - - - - - - - - - - - -

S T A T E M E N T

By the Commission:

On September 23, 1965, 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
Robin C. Horton
Commissioners

Dated at Denver, Colorado,
this 30th day of September, 1965

(Decision No. 65955)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE ISSUANCE OF TEMPORARY CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY UNDER CHAPTER 115-9-4 (2) CRS 1963, FOR EMERGENCY MOVEMENT OF SILAGE.

APPLICATION NO. 21408
SUPPLEMENTAL ORDER

September 27, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

By Decision No. 65576, dated August 12, 1965, temporary certificates of public convenience and necessity were issued for the operation of motor vehicles, for the transportation of silage in the Counties of Larimer, Boulder, Weld, Morgan, Adams, Washington, Yuma, Phillips, Sedgwick and Logan, Colorado, for a period of ninety (90) days, commencing August 16, 1965.

Subsequent to the entry of the above stated decision, the Commission has been requested to add the counties of Arapahoe, Douglas, El Paso, Pueblo, Las Animas, Baca, Prowers, Bent, Otero, Crowley, Kiowa, Cheyenne, Lincoln, Kit Carson and Elbert to the above list of Counties.

The Commission finds that Decision No. 65576, dated August 12, 1965, should be amended, nunc pro tunc, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 65576, dated August 12, 1965, be, and the same hereby is, amended, nunc pro tunc, as of said 12th day of August, 1965, by adding the Counties of Arapahoe, Douglas, El Paso,

Pueblo, Las Animas, Baca, Prowers, Bent, Otero, Crowley, Kiowa, Cheyenne, Lincoln, Kit Carson, and Elbert, State of Colorado, to the list of Counties set forth in said Decision No. 65576.

That except as herein amended, said Decision No. 65576 shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 27th day of September, 1965.

ls

(Decision No. 65956)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
DEE WANN, LIMON, COLORADO.)
)
) PERMIT NO. M-7992
)
)

October 7, 1965

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Dee Wann, Limon, Colorado requesting that Permit No. M-7992 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7992, heretofore issued to Dee Wann, Limon, Colorado be, and the same is hereby, declared cancelled effective October 1, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Harold S. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,

this 7th day of October, 19 65.

hc

(Decision No. 65957)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
)
RAY ROGERS AND WAYNE KELLER, DOING)
BUSINESS AS, "R.K.S. SALVAGE COMPANY",) PERMIT NO. M-1505
2811 WEST CUCHARRAS, COLORADO SPRINGS,)
COLORADO.)

October 7, 1965

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Ray Rogers & Wayne Keller, doing business as, "R.K.S. Salvage Co." Colorado Springs, Colorado requesting that Permit No. M-1505 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1505, heretofore issued to Ray Rogers & Wayne Keller, doing business as, "R.K.S. Salvage Co." Colorado Springs, Colorado be, and the same is hereby, declared cancelled effective July 1, 1965.

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 October, 19 65.

hc

(Decision No. 65958)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
JULIUS C. BOYD, DOING BUSINESS AS, "BOYD'S LAWN SERVICE", 1107 BROWN AVENUE, PUEBLO, COLORADO.) PERMIT NO. M-1705

October 7, 1965

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Julius C. Boyd, doing business as, "Boyd's Lawn Service", Pueblo, Colorado requesting that Permit No. M-1705 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1705, heretofore issued to Julius C. Boyd, doing business as, "Boyd's Lawn Service", Pueblo, Colorado be, and the same is hereby, declared cancelled effective September 8, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 7th day of October, 19 65.

hc

(Decision No. 65959)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
)
ISIDORE GOLD (DECEASED), DOING BUSINESS)
AS, "GOLD'S JUNK HOUSE", 917 - 6TH) PERMIT NO. M-1954
AVENUE, GREELEY, COLORADO.)
)
----------)

October 7, 1965

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Isidore Gold (Deceased), doing business as, "Gold's Junk House", Greeley, Colorado requesting that Permit No. M-1954 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1954, heretofore issued to Isidore Gold (Deceased), doing business as, "Gold's Junk House", Greeley, Colorado be, and the same is hereby, declared cancelled effective August 9, 1965.

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 October, 19 65.

hc

(Decision No. 65960)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
)
GO-FOR PIPE LINES, INCORPORATED,P. O. BOX 114, EAST LAKE, COLORADO.) PERMIT NO. M-2360
)
)

October 7, 1965

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Go-For Pipe Lines, Inc., East Lake, Colorado.

requesting that Permit No. M-2360 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2360, heretofore issued to Go-For Pipe Lines, Inc., East Lake, Colorado be,

and the same is hereby, declared cancelled effective September 24, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 7th day of October, 19 65.

hc

(Decision No. 65961)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
H. C. MC CORMICK, DOING BUSINESS AS,) PERMIT M-2867
"MC CORMICK DISTRIBUTING COMPANY",)
P. O. BOX 248, COLORADO SPRINGS,)
COLORADO)

October 7, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 10, 1965.

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 October 196 5.

hc

(Decision No 65962)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
ALLIED INDUSTRIES, INCORPORATED,)
3800 NORTH GROVE, FORT WORTH, TEXAS.) PERMIT M-3646
)

October 7, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective August 25, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Harold D. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 7th day of October 196 5.

hc

(Decision No. 65963)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
JERRY MC COMB, 618 NORTH REYNOLDS,) PERMIT M-4102
CANON CITY, COLORADO.)
)

October 7, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective August 18, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 7th day of October 196 5.

hc

(Decision No. 65964)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
DE LUCA IMPORTING COMPANY, INCORPORATED,) PERMIT M-4763
P. O. BOX 870, LAS VEGAS, NEVADA.)

October 7, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 13, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 7th day of October 196 5.

hc

(Decision No. 65965)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
VALLEY BEVERAGES, INCORPORATED, 2537 WALL, OGDEN, UTAH.) PERMIT NO. M-5926
)

October 7, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 23, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,
this 7th day of October 1965.

hc

(Decision No. 65966)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
LUCILLE A. TERRY AND FRANCIS W. TERRY,)
JR., GENERAL DELIVERY, PARKER, COLORADO.) PERMIT NO. M-6168
)

- -

- - - - - - - - - -
October 7, 1965
- - - - - - - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 27, 1965.

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 October 196 5.

hc

(Decision No. 65967)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
R. L. CAREY, 613 WEST SUTHERLAND, ALTUS, OKLAHOMA.) PERMIT NO. M-6419

October 7, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective August 24, 1965.

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 October 1965.

hc

(Decision No. 65968)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
RAYMOND H. GESTES, DOING BUSINESS AS,) PERMIT NO. M-6852
"ALL-AMERICAN FENCE COMPANY", P. O.)
19042, OKLAHOMA CITY, OKLAHOMA.)

October 7, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 2, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard L. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 7th day of October 196 5.

hc

(Decision No. 65969)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
GEORGE E. WILD, DOING BUSINESS AS,) PERMIT NO. M-7683
"WILD'S STONE QUARRIES", ESTES PARK)
ROUTE, LOVELAND, COLORADO.)

October 7, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective August 22, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Edward S. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 7th day of October 196 5.

hc

(Decision No. 65970)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
C. G. FINNEY, DOING BUSINESS AS,) PERMIT NO. M-8107
"CHIEF AMUSEMENT COMPANY", 110)
SOUTH MAIN STREET, LAMAR, COLORADO.)

October 7, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective January 12, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,
this 7th day of October 1965.

hc

(Decision No. 65971)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
HAROLD J. BAKER, 719 NORTH 6TH,) PERMIT NO. M-8226
STERLING, COLORADO.)

October 7, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 21, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,
this 7th day of October 196 5.

hc

(Decision No. 65972)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
ALBERT GARCIA, 737 BENNETT, GLENWOOD SPRINGS, COLORADO.) PERMIT NO. M-9399
)

October 7, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 10, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,
this 7th day of October 196 5.

hc

(Decision No. 65973)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
H. F. STANLEY, P. O. BOX 105, QUEEN CITY, TEXAS.) PERMIT NO. M-9544

October 7, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 4, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,
this 7th day of October 196 5.

hc

(Decision No. 65974)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
LEON S. BRISCOE, DOING BUSINESS AS,) PERMIT NO. M-11549
"BRISCOE WATER SERVICE", P. O. BOX)
1109, CASPER, WYOMING.)

October 7, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 3, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Harold D. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 7th day of October 196 5.

hc

(Decision No. 65975)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF ALTON YOUNG, HAROLD YOUNG, CLIFF YOUNG AND F. W. YOUNG, DOING BUSINESS AS, "YOUNG BROTHERS", JOES, COLORADO.) PERMIT NO. M-11711

October 7, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 19, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Harold S. Bjelland
Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 7th day of October 196 5.

hc

(Decision No. 65976)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE ISSUANCE OF TEMPORARY CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY UNDER CHAPTER 115-9-4 (2) CRS 1963, FOR EMERGENCY MOVEMENT OF PEAS, SNAP BEANS, SWEET CORN, TOMATOES, RED BEETS, PICKLES, AND POTATOES.	)	APPLICATION NO. 21274 SUPPLEMENTAL ORDER

September 24,1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On September 23, 1965, the Commission issued a Supplemental Order, Decision No. 65926, in the above entitled matter which the Commission now finds was issued in error due to inadvertence and mistake, and further finds that said order should be vacated.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 65926 dated September 23, 1965, be, and the same hereby is, vacated, set aside and held for naught.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER HOWARD B. BJELLAND
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 24th day of September, 1965

(Decision No. 65977)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
GLEN A. BOWEN AND MARY LUE BOWEN,) PERMIT NO. M-13844
DOING BUSINESS AS, "PLATTE VALLEY GAS)
AND ELECTRIC COMPANY", 12 NORTH MAIN,)
STREET, BRIGHTON, COLORADO.)

October 7, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 27, 1965.

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 October 196 5.

hc

(Decision No. 65978)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
MONTE NELSON, ROUTE 3, MC ALESTER, OKLAHOMA.) PERMIT NO. M-13849
)

October 7, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 10, 1965.

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 October 1965.

hc

(Decision No. 65979)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
JOE V. ARCHULETA, ROUTE 2 BOX 176, ALAMOSA, COLORADO.) PERMIT NO. M-13856
)

October 7, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 11, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 7th day of October 1965.

hc

(Decision No. 65980)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
LONIE BUCHNER, DOING BUSINESS AS,) PERMIT NO. M-14394
"BUCHNER DAIRY", 305 MAIN STREET,)
FOWLER, COLORADO.)

October 7, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 7, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 7th day of October 1965.

hc

(Decision No.65981)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
DELBERT L. COOLEY, ROUTE 2 BOX 517 A,) PERMIT M-14418
GOLDEN, COLORADO.)
)

October 7, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective May 10, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,
this 7th day of October 196 5.

hc

(Decision No. 65982)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
HAROLD P. DE NIO, 1454 LIPAN STREET,) PERMIT NO. M-15518
DENVER, COLORADO.)
)

October 7, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 22, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard L. Bjelland
Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 7th day of October 196 5.

hc

(Decision No. 65983)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
HENRY W. TOMPKINS, 1258 SOUTH)
VALLEJO STREET, DENVER 23, COLORADO.) PERMIT NO. M-10883
)

October 4, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 3, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Harold L. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 7th day of October 196 5.

hc

(Decision No. 65984)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
EUROPEAN AUTO WRECKING, INCORPORATED,) PERMIT NO. M-13941
1770 WEST WESLEY, ENGLEWOOD, COLORADO.)
)

October 4, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 6, 1965.

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 October 196 5.

hc

Decision No. 65985

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
FRANK A. YAGER AND JAMES YENKO)
DBA Y AND Y USED LUMBER COMPANY)
610 Maryland Avenue)
Pueblo, Colorado 81001)
)
-)

AUTHORITY NO. M 8974

CASE NO. _____

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

October 4, 1965

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

S T A T E M E N T

By the Commission:

On August 19, 1965, 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 4th day of October, 1965

(Decision No. 65986)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE ISSUANCE OF TEMPORARY CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY UNDER CHAPTER 115-9-4 (2) CRS 1963, FOR EMERGENCY MOVEMENT OF PEAS, SNAP BEANS, SWEET CORN, TOMATOES, RED BEETS, PICKLES, AND POTATOES.	)	APPLICATION NO. 21533

September 27,1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Report has been received by the Commission from Frank Pagliano, Supervisor, Complaint and Investigation Division of this Commission, indicating that an emergency exists because of shortage of trucks for transportation of peas, snap beans, sweet corn, tomatoes, red beets, pickles, and potatoes, from fields for processing and storage in the Counties of Adams, Larimer, Weld, Morgan, Mesa, Boulder, Delta, Montrose, and Ouray, 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 crops in said counties.

The Commission states and finds that an emergency exists because of the shortage of certificated trucks for transportation of peas, snap beans, sweet corn, tomatoes, red beets, pickles, and potatoes, in the Counties of Adams, Larimer, Weld, Morgan, Mesa, Boulder, Delta, Montrose, and Ouray, Colorado, and that public convenience and necessity require that temporary certificates should issue for the operation of motor vehicles for transportation of said crops from fields to market, place of storage or processing place, as provided by Chapter 115-9-4 (2) CRS 1963, said certificates to be effective for a

period of sixty (60) days, commencing September 27, 1965.

O R D E R

THE COMMISSION ORDERS:

That temporary certificates of public convenience and necessity be, and are hereby, authorized to issue for the operation of motor vehicles for transportation of peas, snap beans, sweet corn, tomatoes, red beets, pickles, and potatoes, in the Counties of Adams, Larimer, Weld, Morgan, Mesa, Boulder, Delta, Montrose, and Ouray, Colorado, said certificates to be effective September 27, 1965, and to continue in force for a period of sixty (60) days thereafter.

This Order shall be effective, nunc pro tunc, as of September 24, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 27th day of September, 1965

et

(Decision No. 65987)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS)
OF RUSSELL TRUCK LINES, INC.,) PUC NO. 5626-I
P. O. BOX 231, ARCADIA,) PERMIT NO. B-6306-I
MISSOURI.)

October 5, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission is in receipt of a communication from the above-styled carrier, requesting authority to change its corporate name from Missouri Lumber Transports, Inc., to Russell Truck Lines, Inc., in the conduct of operations under PUC No. 5626-I and Permit No. B-6306-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. 5626-I and Permit No. B-6306-I to be owned and operated by:

"Russell Truck Lines, Inc."

in lieu of:

"Missouri Lumber Transports, Inc."

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND
NOT PARTICIPATING.

Commissioners

Dated at Denver, Colorado,
this 5th day of October, 1965.

(Decision No. 65988)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF WESTERN TRANSFER, LTD., P. O. BOX 214, GRAND JUNCTION, COLORADO, FOR AUTHORITY TO TRANSFER INTERSTATE OPERATING RIGHTS TO UTE TRUCKING COMPANY, A COLORADO CORPORATION, 3126 B½ ROAD, GRAND JUNCTION, COLORADO.	PUC NO. 2355-I-Transfer

October 5, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, Western Transfer, Ltd., Grand Junction, Colorado, was granted a certificate of public convenience and necessity (PUC No. 2355-I), authorizing transportation:

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

Said certificate-holder now seeks authority to transfer said PUC No. 2355-I to Ute Trucking Company, Grand Junction, Colorado.

Inasmuch as the records and files of the Commission fail to disclose any reason why said transfer should not be authorized, the Commission states and finds that the proposed transfer is compatible with the public interest, and should be authorized, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Western Transfer, Ltd., Grand Junction, Colorado, be, and hereby is, authorized to transfer all right, title, and interest in and to PUC No. 2355-I -- with authority as set forth in the Statement

preceding, which is made a part hereof, by reference -- to Ute Trucking Company, Grand Junction, Colorado, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended, and subject to encumbrances, if any, against said certificate approved by this Commission.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 5th day of October, 1965.

ls

(Decision No. 65989)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF TERMINAL TRANSPORTS, INC., 1315 EAST SEVENTH STREET, LOS ANGELES, CALIFORNIA.

PUC NO. 3917-I

October 5, 1965

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 change its corporate name from Terminal Refrigerated Transports, Inc., to Terminal Transports, Inc., in the conduct of operations under PUC No. 3917-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. 3917-I to be owned and operated by:

"Terminal Transports, Inc."

in lieu of:

"Terminal Refrigerated Transports, Inc."

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT
PARTICIPATING.

(SEAL)

Commissioners

Dated at Denver, Colorado,

(Decision No. 65990)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
Ralph Elkins dba Elkins Service Co.) PUC NO. 5443-I
P O Box 465)
Coleman, Texas)

October 6, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be suspended for six months.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That suspension of motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized from

September 10, 1965 until March 10, 1966

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made, insurance be filed, and compliance with all rules and regulations of the Commission applicable thereto be made, said authority without further action by the Commission, shall be revoked without the right to reinstatement.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard L. Bijlillie

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,
this 6th day of October 1965.
et

(Decision No.65991)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
George A. Kolva)
6701 Quebec St.,)
Derby, Colo.)

PERMIT NO. B-4395

October 6, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective August 27, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Harold D. Bjork
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,
this 6th day of October 1965.
et

(Decision No. 65992)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
Grady Thompson)
PO Box 1368)
Durango, Colorado)

PERMIT NO. B-6672

October 6, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective August 14, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 6th day of October 1965.
et

(Decision No. 65993)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
Richard Cohn dba Cohn's) PERMIT NO. B-3317
Trucking System)
Box 205, Alamosa, Colo.)

October 6, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 29, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Edward S. Bjelland

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,
this 6th day of October 1965.
et

(Decision No.65994)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
Vere Westwodd, Inc.)
PO Box 578) PERMIT NO. B-6343
Moab, Utah)
)

October 6, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective August 3, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,
this 6th day of October 1965.
et

(Decision No. 65995)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF

Biegler Truck Line
Box 56
Driscoll, North Dakota

PUC NO. 6364-I

October 6, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 29, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 6th day of October 1965
et

(Decision No.65996)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
B-C Leasing Company)
P O Box 912) PUC NO. 6271-I
Glenwood Springs, Colorado)
)

October 6, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective August 30, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Harold S. Bickford
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 6th day of October 196 5
et

(Decision No. 65997)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
Richard C. Kierig)
PO Box 211) PUC NO. 6200-I
Hamilton, Montana)
)

October 6, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 27, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard S. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 6th day of October 196 5.
et

(Decision No 65998)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
Keller H. Light)
870 So. Yates)
Denver, Colorado 80219)

PUC NO. 5955-I

October 6, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 13, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

David S. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 6th day of October 1965.
et

(Decision No.65999)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
Vere Westwood, Inc.) PUC NO. 2947-I
PO Box 578)
Moab, Utah)

October 6,1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective August 3, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 6th day of October 1965.
et

(Decision No. 66000)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
Charles E. Mostéller)
578 So. Washington) PUC NO. 4325-I
Denver, Colorado 80204)
)

October 6, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 4, 1965

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard L. Bjelland

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,
this 6th day of October 1965
et

(Decision No. 66001)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF SAMUEL T. BASILE, DOING BUSINESS AS "SAM'S TRASH REMOVAL SERVICE," 8095 WEST EVANS AVENUE, ROUTE 1, BOX 414, MORRISON, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 21419-PP

October 7, 1965

Appearances: Robert E. McLean, Esq., Denver, Colorado, for Applicant; Leslie R. Kehl, Esq., Denver, Colorado, for Industrial Disposal, Inc., Metropolitan Trash Removal, Inc., Aurora and East Denver Trash Disposal and Best-Way Disposal.

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 ashes, trash, waste and other debris, from and to duly designated dumps in the Denver Metropolitan Area, from each of the following Furr Food Stores located at 5900 West 38th Avenue, 7170 North Federal Boulevard, 9304 West 58th Avenue, 2100 West Mississippi, 2191 South Broadway, 5794 South Datura, 2085 South Sheridan Boulevard, 755 South Colorado Boulevard, and 10680 Del Mar Parkway.

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 of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, Mr. Robert E. McLean, on behalf of the Applicant, moved to delete from the application all Furr Food Stores located within the City and County of Denver inasmuch as the Applicant, who also owns PUC No. 3212 for ash and trash business in the City and County of Denver, is already authorized to serve these addresses. Mr. Samuel T. Basile, doing business as "Sam s Trash Removal Service, the Applicant herein, testified that he owns PUC No. 3212 which authorizes ash and trash removal within the boundaries of the City and County of Denver. He stated that the purpose of applying for a Class "B" Permit is to serve the various locations of Furr Food Stores located outside the City and County of Denver. These addresses specifically are as follows:

5900 West 38th Avenue
7170 North Federal Blvd.
9304 West 58th Avenue
5794 South Datura
10680 Del Mar Parkway

This witness stated that he already handled the trash removal for various of the Furr Food Stores located within the City and County of Denver and that that company had requested him to file this application in order that he could serve the other stores listed in his application which are located just outside the boundaries of the City and County of Denver. He testified that his net worth is approximately $70,000.00 and he has sufficient equipment, to provide ash and trash removal service for the Furr Food Stores.

William Dent, District Manager of Furr's, Inc., the owner and operator of Furr Food Stores in the Denver area, testified that his company is supporting the within application. He testified that Furr Food Stores had been using the services of the Applicant at several of its stores since 1958 and that as a matter of policy, his company made a determination in that they wished to engage one operator to handle the trash removal service. From an administrative standpoint, this would be a more satisfactory situation than hiring

various operators at its stores. Mr. Dent stated that, at the present time, Furr Food Stores outside the City and County of Denver are using several ash and trash haulers and that one of such haulers had afforded unsatisfactory service.

Marion Gilreth, Arvada, Colorado, President of Metropolitan Ash and Trash, Inc. and owner of Wheatridge Disposal Service, stated that they have authority for ash and trash removal in the area where all the Furr Food Stores are located as set forth in the application, and at the present time, he is handling the trash removal for the Furr Food Store at 9304 West 58th Avenue. Mr. Gilreth stated he holds two ash and trash hauling authorities from the Commission, to-wit: PUC No. 2010 and PUC No. 2127. This witness testified that as far as the service afforded, it was satisfactory in that his company had never received any complaints about the service.

Jake Schlagel, Jr., Aurora, Colorado, owner and operator of Aurora and East Denver Trash Removal, testified this firm owns PUC No. 1820 and PUC No. 1823 which authorizes ash and trash removal. He stated, at the present time, he serves the Furr Food Store at 10680 Del Mar Parkway and that as far as he knows, the service has been satisfactory.

Andrew J. Bosman, Best-Way Disposal, Denver, Colorado, testified that this firm owns PUC No. 2495, 2097, and 3270, and these certificates cover most of the Furr Food Stores located in Denver and surrounding area. He stated, at the present time, three of the Furr Food Stores are served by his company and as far as he knows, the service has been satisfactory. He also indicated that the revenue received from Furr Food Stores was important to his company and if this revenue is lost, there would have to be certain re-routing. This witness indicated that two or three months ago he had received a complaint from the Furr Food Store at 7170 North Federal Boulevard.

Clayton O. Decker, Westminster, Colorado, stated he is one of the owners of Industrial Disposal, Inc. and operates under PUC No. 2069 authorizing ash and trash removal. He stated that the area of his authority includes the address of the Furr Food Store at 7170 North Federal Boulevard only, but he has not had this Furr Food Store as a customer.

Mr. Decker and the other witnesses appearing in protest stated that there were adequate common carriers for ash and trash removal to handle these transportation needs.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that there is a need for Applicant's proposed transportation services; 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, although testimony was introduced from other owners of PUC authorities who are now serving the several stores of the Furr Food Stores outside of Denver, the evidence failed to indicate that the granting of the instant application would impair the efficient public service of any of these common carriers; that the granting of the authority, as provided in the Order following, will be in the public interest, and such authority should be granted.

O R D E R

THE COMMISSION ORDERS:

That Samuel T. Basile, doing business as "Sam's Trash Removal Service," Morrison, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of ashes, trash, waste materials and other debris to duly designated dumps in the Denver Metropolitan area, for

one customer only, to-wit: Furr Food Stores at the following locations: 5900 West 38th Avenue; 7170 North Federal Boulevard; 9304 West 58th Avenue; 5794 South Datura, and 10680 Del Mar Parkway; 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 the 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 hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

HENRY E. ZARLENGO

Commissioners

Dated at Denver, Colorado,
this 7th day of October, 1965.

et

(Decision No.66002)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DENVER-LOVELAND TRANSPORTATION, INC.,)
255 SOUTH CLEVELAND, LOVELAND,)
COLORADO, FOR A CERTIFICATE OF) APPLICATION NO. 21389-Extension
PUBLIC CONVENIENCE AND NECESSITY)
AUTHORIZING EXTENSION OF OPERATIONS)
UNDER PUC No. 205.)

October 7, 1965

Appearances: John P. Thompson, Esq., Denver, Colorado, for Applicant.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, Denver-Loveland Transportation, Inc., Denver, Colorado, was authorized to operate as a common carrier by motor vehicle for hire, PUC No. 205, which authorizes the following:

> Transportation of freight between the City of Denver and the Town of Loveland, provided, that the shipments weigh more than 25 lbs. Further, that the public convenience and necessity does not require the transportation of freight between the City of Denver and the Town of Berthoud. Conduct of a transfer, moving and general cartage business in the Counties of Boulder, Weld, and Larimer and occasionally throughout the State of Colorado, subject to the following terms and conditions: 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 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 Loveland for the purpose of developing or taking care of business done under this Certificate. The applicant shall not engage in the business of carrying parcels or packages commonly carried by carriers rendering express service. The applicant shall charge the same rates for the transportation of household goods between Denver and Loveland in lots weighing more than 500 lbs., as he charges for similar hauls between other points. The transportation of freight moved any distance whatever under this authority, the rate for the whole shipment shall be from point of origin to point of destination not less than the

rates for the members of the CT&WA which are on file with the Commission. Extended to include the scheduled line-haul service to Wildspur, Colorado, and to the race track of The Cloverleaf Kennel Club, which is now under construction approximately one mile north of the intersection of U. S. Highways Nos. 87 and 34. Extended to authorize unlimited call and demand service, for the transportation of sugar, only, between the plants of The Great Western Sugar Company near Loveland, Colorado, and near Longmont, Colorado, on the one hand, and points within four miles of Denver, Colorado, on the other. Extended to include pick up and delivery of freight, from and to all points within a radius of three miles of the City and County of Denver, and from and to all points within a radius of three miles of the City of Loveland, except the following municipalities: Arvada, Wheatridge, Englewood, Lakewood, Aurora, Derby, Dupont, Thornton, Westminster, and Littleton, Colorado, such authority to be limited to services in conjunction with the operations of his line-haul authority. Transportation of gypsum and gypsum products only, between the Plant of the U. S. Gypsum Company at Wildspur, Colorado, and all points in the State of Colorado.

By the above-styled application, said certificate-holder seeks a certificate of public convenience and necessity, authorizing extension of operations under PUC No. 205, by deleting from its present scheduled regular route authority, the restriction against transportation of shipments weighing twenty-five pounds and less.

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, Paul D. Amen, Loveland, Colorado, the President of Denver-Loveland Transportation, Inc., testified that the Applicant presently owns PUC No. 205 and operates on schedule between Loveland and Denver. He stated that the purpose of the within application is to delete from this portion of the authority, the 25 pound limitation on freight. He explained that PUC No. 205 authorizes two different types of opera-

tion, one a scheduled regular route operation between Denver on the one hand, and the City of Loveland on the other, and the other portion of PUC No.205 authorizes a radial transportation service subject to certain restriction between points in the Counties of Boulder, Weld and Larimer and occasionally throughout the State of Colorado. The 25 pound limitation has only been applicable to the scheduled operation between Loveland and Denver, and it is this limitation which the Applicant seeks to remove from the authority.

Mr. Amen conceded that being previously unaware of the 25 pound restriction, his company has been transporting items of freight weighing less than this amount as a general practice in the past.

Mr. Amen stated that he knows of no other common carrier who would be affected by removing this restriction and that the many shippers served by his company, require from time to time shipments of items in one load, some of which items weigh less than 25 pounds. He explained that the service offered to shippers is a pickup service of various items required at various locations in Denver, Colorado and transportation thereof to the customer at Loveland. Mr. Amen related that there is a public need involved and that to afford his customers and others who may request the transportation service of the Applicant's adequate service, it would be in the public interest to remove the 25 pound limitation from that part of PUC No. 205 providing for transportation of freight between Denver and Loveland. Mr. Amen identified Exhibit 1 as an equipment list of the Applicant and Exhibit 2 as a financial statement effective July 1, 1965 of the Applicant.

In support of the within application, the following named witnesses testified:

Robert L. Hipps, Loveland, Colorado
Electrical Appliance Business Sales and Service;

Norman L. Borges, Loveland, Colorado,
Traffic Superintendent, Hulett Packard Company;

E. F. Garrett, Loveland, Colorado
President of Garrett Motors, Inc.,
Ford-Mercury Dealer;

William W. Belcher, Loveland, Colorado
President and owner of Belcher Office Supply, Inc.

J. William Peterson, Loveland, Colorado
Part owner of West Lake Pharmacy;

Thomas C. McClusky, Loveland, Colorado,
Manager, Loveland City Dairy;

Warren K. Craxberger, Loveland, Colorado,
Co-owner and Vice President of Parts, Inc;

Irvin Weinmeister, Loveland, Colorado,
General Manager of Super Vacuum, Inc.

Each of the above-named witnesses testified that the transportation service of the Applicant is being constantly engaged by their companies and that the Applicant transports for them between Denver and Loveland items which weigh both overand under 25 pounds. Each witness stated that such service is a necessity as far as their companies were concerned and that it would be most inconvenient, and in fact difficult, to arrange for transportation of items from Denver, Colorado weighing less than 25 pounds if the Applicant is not permitted to provide such service. Each testified that in their opinion public convenience and necessity required the granting of the within application.

Mr. Mark Cordell, Manager of the Loveland Chamber of Commerce, also testified in support of the within application and state public convenience and necessity made it appear necessary to delete the 25 pound limitation from the Public Utilities Commission authority of the Applicant, at the Applicant, as far as he knows, is the only transportation service which provides for freight shipments from various pickup points in Denver to the docks of customers in Loveland, Colorado, and this pertained to freight shipments of both under and over 25 pounds.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

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 the present and future public convenience and necessity requires or will require the proposed extended service of Applicant; and that the granting of the removal of the restriction against transportation of shipments weighing twenty-five pounds and less will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Denver-Loveland Transportation, Inc., Denver, Colorado, be, and hereby is, authorized to extend operations under PUC No. 205 by deleting from its present scheduled regular route authority the restriction against transportation of shipments weighing twenty-five pounds and less, so that authority under PUC No. 205 shall henceforth be and read as follows:

> Transportation of freight between the City of Denver and the Town of Loveland. Further, that the public convenience and necessity does not require the transportation of freight between the City of Denver and the Town of Berthoud. Conduct of a transfer, moving and general cartage business in the Counties of Boulder, Weld and Larimer and occasionally throughout the State of Colorado, subject to the following terms and conditions: 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 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 Loveland for the purpose of developing or taking care of business done under this Certificate. The applicant shall not engage in the business of carrying parcels or packages commonly carried by carriers rendering express service. The applicant shall charge the same rates for the transportation of household goods between Denver and Loveland in lots weighing more than 500 lbs.,

as he charges for similar hauls between other points. The transportation of freight moved any distance whatever under this authority, the rate for the whole shipment shall be from point of origin to point of destination not less than the rates for the members of the CT&WA which are on file with the Commission. Extended to include the scheduled line-haul service to Wildspur, Colorado, and to the race track of The Cloverleaf Kennel Club, which is now under construction approximately one mile north of the intersection of U. S. Highways Nos. 87 and 34. Extended to authorize unlimited call and demand service, for the transportation of sugar, only, between the plants of The Great Western Sugar Company near Loveland, Colorado, and near Longmont, Colorado, on the one hand, and points within four miles of Denver, Colorado, on the other. Extended to include pick up and delivery of freight, from and to all points within a radius of three miles of the City and County of Denver, and from and to all points within a radius of three miles of the City of Loveland, except the following municipalities: Arvada, Wheatridge, Engelwood, Lakewood, Aurora, Derby, Dupont, Thornton, Westminster, and Littleton, Colorado, such authority to be limited to services in conjunction with the operations of his line-haul authority. Transportation of gypsum and gypsum products only, between the Plant of the U. S. Gypsum Company at Wildspur, Colorado, and all points in the State of Colorado.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 7th day of October, 1965

(Decision No. 66003)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF UNION RURAL ELECTRIC ASSOCIATION, INC., FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO EXERCISE FRANCHISE RIGHTS IN THE TOWN OF FIRESTONE, COUNTY OF WELD, STATE OF COLORADO, FOR THE PURCHASE, TRANSMISSION, DISTRIBUTION AND SALE OF ELECTRICAL ENERGY IN SAID TOWN OF FIRESTONE.

APPLICATION NO. 21477

October 7, 1965

Appearances: Miller and Ruyle, Attorneys at Law, Greeley, Colorado, for Applicant;
J. M. McNulty, Denver, Colorado, of the Staff of the Commission.

STATEMENT

BY THE COMMISSION:

The within entitled application was filed with this Commission on September 9, 1965, and by said application Union Rural Electric Association, Inc. seeks authority from this Commission for the approval for the exercise of franchise rights granted by the Town of Firestone, Weld County, Colorado, for the purchase, transmission, distribution and sale of electrical energy in said Town of Firestone.

The matter was set for hearing, after due notice to all interested parties, on Monday, September 27, 1965, at 10:00 o'clock A. M. at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. The application was heard on a consolidated record with Application No. 21476, also being an application of the Union Rural Electric Association, Inc. At said time and place, the matter was duly heard by the Commission and, at the conclusion of the hearing, taken under advisement.

Applicant is a corporation duly organized and existing under

and by virtue of the laws of the State of Colorado with its principal office and place of business at 18551 East 60th Avenue, P. O. Box 218, Brighton, Colorado. A certified copy of its Articles of Incorporation, together with all amendments thereto, have heretofor been filed with the Commission. Applicant is engaged principally in the purchase, transmission, distribution and sale of electrical energy in the Counties of Adams, Weld, Boulder, Jefferson, Larimer, Gilpin and Grand within the State of Colorado.

The evidence disclosed that on or about August 25, 1964, the applicant, Union Rural Electric Association, Inc., commenced electrical service to the Town of Firestone and its inhabitants under authority of an agreement made and executed April 20, 1964, by and between Public Service Company of Colorado and the applicant, which agreement was approved by this Commission by Decision No. 63322, Joint Applications Nos. 20427 and 20428 of July 20, 1964.

The evidence further disclosed that on the 30th day of March, 1965, an electrical franchise was granted to the applicant by the Board of Trustees of the Town of Firestone, Weld County, Colorado, by Ordinance No. 26, which Ordinance was entitled:

> "AN ORDINANCE GRANTING A FRANCHISE BY THE TOWN OF FIRESTONE, WELD COUNTY, COLORADO, TO THE UNION RURAL ELECTRIC ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS, TO LOCATE, BUILD, CONSTRUCT, ACQUIRE, PURCHASE, MAINTAIN AND OPERATE INTO, WITHIN AND THROUGH THE TOWN OF FIRESTONE, A PLANT OR PLANTS, SUBSTATIONS, AND WORKS, FOR THE PURCHASE, GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRICAL ENERGY AND TO FURNISH, SELL AND DISTRIBUTE SAID ELECTRICAL ENERGY TO THE TOWN OF FIRESTONE, AND THE INHABITANTS THEREOF, FOR LIGHT, HEAT, AND POWER OR OTHER PURPOSES BY MEANS OF CONDUITS, CABLES, POLES AND WIRES STRUNG THEREON, OR OTHERWISE, ON, OVER, UNDER, ALONG, ACROSS AND THROUGH ALL STREETS, ALLEYS, VIADUCTS, BRIDGES, ROADS, LANES AND OTHER PUBLIC WAYS AND PLACES IN SAID TOWN OF FIRESTONE, AND FIXING THE TERMS AND CONDITIONS THEREOF."

The term of the franchise is for a period of twenty-five (25) years. A certified copy of the franchise was introduced at the hearing as Exhibit No. 1. The certificate of the Record of Ordinance

No. 26 certified to by the Town Clerk of Firestone was introduced at the hearing as Exhibit No. 2. Exhibit No. 3 introduced at the hearing is a copy of the Letter of Acceptance by Union Rural Electric Association, Inc. of Ordinance No. 26, duly signed by the President of Union. Exhibit No. 4 is a copy of a Resolution by the Board of Directors of Union Rural Electric Association, Inc. accepting Ordinance No. 26 of the Town of Firestone.

Witness for applicant testified that subsequent to the supplying of service to the Town of Firestone by Union, certain improvements had been made, including the installation of 20 new 7,000 lumen mercury vapor lamps for street lighting as well as the reconductoring of certain lines to provide loop feeder service to the town. It was estimated by the witness that approximately $3,000 was spent for these improvements. The witness further testified that no additional enlargements of the distribution system in the town were contemplated during the life of the franchise unless future growth would warrant it. The minimum fee will be charged for the issuance of the certificate sought herein.

The 1960 U. S. Census reveals that the population of Firestone at that time to be 276 and at the present time Union is serving 91 customers in said town. No one appeared in opposition to the granting of the instant application and there is no other public utility supplying electrical service in said town.

F I N D I N G S

THE COMMISSION FINDS:

That the Commission has jurisdiction of the applicant herein and the subject matter involved in the instant application.

That the Commission is fully advised in the premises.

That the foregoing Statement is made a part hereof by reference.

That the public convenience and necessity require and will

require the exercise by Union Rural Electric Association, Inc. of the franchise rights granted in and by Ordinance No. 26 to the Town of Firestone dated March 30, 1965, for the purchase, transmission, distribution and sale of electrical energy by Union Rural Electric Association, Inc. in said town.

O R D E R

THE COMMISSION ORDERS:

That the public convenience and necessity require and will require the exercise by Union Rural Electric Association, Inc. of the franchise rights granted in and by Ordinance No. 26 to the Town of Firestone dated March 30, 1965, marked as Exhibit No. 1, which by reference is made a part hereof, for the purchase, generation, transmission, distribution and sale of electrical energy by Union Rural Electric Association, Inc. and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

That Union Rural Electric Association, Inc. shall install, operate and maintain its electrical system and supply service in the area heretofor designated in accordance with its schedule of Electric Rates, Classifications, Rules and Regulations now on file with this Commission, or as the same may be changed according to law or the Rules and Regulations of this Commission.

That Union Rural Electric Association, Inc. shall continue to maintain its books and accounts in accordance with the Uniform System of Accounts, as prescribed by this Commission, and shall continue to supply service in accordance with the Rules Regulating the Service of Gas and Electric Utilities, as promulgated by this Commission.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado

(Decision No. 66004)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF UNION RURAL ELECTRIC ASSOCIATION, INC., FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO EXERCISE FRANCHISE RIGHTS IN THE TOWN OF MEAD, COUNTY OF WELD, STATE OF COLORADO, FOR THE PURCHASE, TRANSMISSION, DISTRIBUTION AND SALE OF ELECTRICAL ENERGY IN SAID TOWN OF MEAD.

APPLICATION NO. 21476

October 7, 1965

Appearances: Miller and Ruyle, Attorneys at Law, Greeley, Colorado, for Applicant;
J. M. McNulty, Denver, Colorado, of the Staff of the Commission.

S T A T E M E N T

BY THE COMMISSION:

The within entitled application was filed with this Commission on September 9, 1965, and by said application Union Rural Electric Association, Inc. seeks authority from this Commission for the approval for the exercise of franchise rights granted by the Town of Mead, Weld County, Colorado, for the purchase, transmission, distribution and sale of electrical energy in said Town of Mead.

The matter was set for hearing, after due notice to all interested parties, on Monday, September 27, 1965, at 10:00 o'clock A.M. at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. The application was heard on a consolidated record with Application No. 21477, also being an application of the Union Rural Electric Association, Inc. At said time and place, the matter was duly heard by the Commission and, at the conclusion of the hearing, taken under advisement.

Applicant is a corporation duly organized and existing under

and by virtue of the laws of the State of Colorado with its principal office and place of business at 18551 East 60th Avenue, P. O. Box 218, Brighton, Colorado. A certified copy of its Articles of Incorporation, together with all amendments thereto, have heretofor been filed with the Commission. Applicant is engaged principally in the purchase, transmission, distribution and sale of electrical energy in the Counties of Adams, Weld, Boulder, Jefferson, Larimer, Gilpin and Grand within the State of Colorado.

The evidence disclosed that on or about August 25, 1964, the applicant, Union Rural Electric Association, Inc., commenced electrical service to the Town of Mead and its inhabitants under authority of an agreement made and executed April 20, 1964, by and between Public Service Company of Colorado and the applicant, which agreement was approved by this Commission by Decision No. 63322, Joint Applications Nos. 20427 and 20428 of July 20, 1964.

The evidence further disclosed that on the 12th day of February, 1965, an electrical franchise was granted to the applicant by the Board of Trustees of the Town of Mead, Weld County, Colorado, by Ordinance No. 27, which Ordinance was entitled:

> "AN ORDINANCE GRANTING A FRANCHISE BY THE TOWN OF MEAD, WELD COUNTY, COLORADO, TO THE UNION RURAL ELECTRIC ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS, TO LOCATE, BUILD, CONSTRUCT, ACQUIRE, PURCHASE, MAINTAIN AND OPERATE INTO, WITHIN AND THROUGH THE TOWN OF MEAD, A PLANT OR PLANTS, SUBSTATIONS, AND WORKS, FOR THE PURCHASE, GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRICAL ENERGY, AND TO FURNISH, SELL AND DISTRIBUTE SAID ELECTRICAL ENERGY TO THE TOWN OF MEAD, AND THE INHABITANTS THEREOF, FOR LIGHT, HEAT, AND POWER OR OTHER PURPOSES BY MEANS OF CONDUITS, CABLES, POLES AND WIRES STRUNG THEREON, OR OTHERWISE, ON, OVER, UNDER, ALONG, ACROSS AND THROUGH ALL STREETS, ALLEYS, VIADUCTS, BRIDGES, ROADS, LANES, AND OTHER PUBLIC WAYS AND PLACES IN CONDITIONS THEREOF."

The term of the franchise is for a period of twenty-five (25) years. A certified copy of the franchise was introduced at the hearing as Exhibit No. 1. The certificate of the Recording of Ordinance No. 27 certified to by the Town Clerk of Mead was introduced at the hearing as Exhibit No. 2. Exhibit No. 3 introduced at

the hearing is a copy of the Letter of Acceptance by Union Rural Electric Association, Inc. of Ordinance No. 27, duly signed by the President of Union. Exhibit No. 4 is a copy of a Resolution by the Board of Directors of Union Rural Electric Association, Inc. accepting Ordinance No. 27 of the Town of Mead.

Witness for applicant testified that subsequent to the supplying of service to the Town of Mead, certain improvements were made, including the construction of a new line which will provide loop feeder service to the town, new capacitors were added and certain lines were reconductored at a total cost of approximately $2,500. The witness further testified that no additional enlargements of the distribution system in the town were contemplated during the life of the franchise unless future growth would warrant it. The minimum fee will be charged for the issuance of the certificate sought herein.

The 1960 U. S. Census reveals that the population of Mead at that time to be 192 and at the present time Union is serving 70 customers in said town. No one appeared in opposition to the granting of the instant application and there is no other public utility supplying electrical service in said town.

F I N D I N G S

THE COMMISSION FINDS:

That the Commission has jurisdiction of the applicant herein and the subject matter involved in the instant application.

That the Commission is fully advised in the premises.

That the foregoing Statement is made a part hereof by reference.

That the public convenience and necessity require and will require the exercise by Union Rural Electric Association, Inc. of the franchise rights granted in and by Ordinance No. 27 to the Town of Mead dated February 12, 1965, for the purchase, transmission, distribution and sale of electrical energy by Union Rural Electric Association, Inc. in said town.

O R D E R

THE COMMISSION ORDERS:

That the public convenience and necessity require and will require the exercise by Union Rural Electric Association, Inc. of the franchise rights granted in and by Ordinance No. 27 to the Town of Mead dated February 12, 1965, marked as Exhibit No. 1, which by reference is made a part hereof, for the purchase, generation, transmission, distribution and sale of electrical energy by Union Rural Electric Association, Inc. and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

That Union Rural Electric Association, Inc. shall install, operate and maintain its electrical system and supply service in the area heretofor designated in accordance with its schedule of Electric Rates, Classifications, Rules and Regulations now on file with this Commission, or as the same may be changed according to law or the Rules and Regulations of this Commission.

That Union Rural Electric Association, Inc. shall continue to maintain its books and accounts in accordance with the Uniform System of Accounts, as prescribed by this Commission, and shall continue to supply service in accordance with the Rules Regulating the Service of Gas and Electric Utilities, as promulgated by this Commission.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado,
this 7th day of October, 1965.
ls

Commissioners

(Decision No. 66005)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
KENNETH M. SIMMONS, GENERAL DELIVERY,)
ANTONITO, COLORADO, FOR A CLASS "B") APPLICATION NO. 21442-PP
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

October 7, 1965

Appearances: Kenneth M. Simmons, Antonito, 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.

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 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 the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

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

All motions granted, or denied, by the Examiner, if any,

are hereby confirmed.

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 services; 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 to the Commission that the 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 the granting of 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 Kenneth M. Simmons, Antonito, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs, between points within 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 7th day of October, 1965.

ls

(Decision No. 66006)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF NORMAN L. CLARK, DOING BUSINESS AS "NORMAN CLARK LOGGING," P. O. BOX 398, ANTONITO, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 21440-PP

October 7, 1965

Appearances: Norman L. Clark, Antonito, Colorado, pro se.

BY THE COMMISSION:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire.

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 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 the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

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

All motions granted, or denied, by the Examiner, if any,

are hereby confirmed.

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 services; 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 to the Commission that the 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 the granting of 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 Norman L. Clark, doing business as "Norman Clark Logging," Antonito, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs and poles, from forests to sawmills, within a radius of fifty miles of said forests within 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 7th day of October, 1965.

ls

(Decision No. 66007)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF JERRY R. WAITS, DOING BUSINESS AS "J. R. WAITS TRUCKING," GENERAL DELIVERY, SOUTH FORK, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 21443-PP

October 7, 1965

Appearances: Elizabeth A. Conour, Esq., Del Norte, 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.

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 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 the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

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

All motions granted, or denied, by the Examiner, if any,

are hereby confirmed.

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 services; 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 to the Commission that the 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 the granting of 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 Jerry R. Waits, doing business as "J. R. Waits Trucking," South Fork, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs, from forest to mills and shipping points within a radius of 100 miles of South Fork, 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 7th day of October, 1965.

ls

(Decision No. 66008)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
C. R. WIDDISON, BOX 483, SAGUACHE,)
COLORADO, FOR A CLASS "B" PERMIT TO) APPLICATION NO. 21450-PP
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

October 7, 1965

Appearances: Elizabeth A. Conour, Esq., Del Norte, 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.

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 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 the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

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

All motions granted, or denied, by the Examiner, if any,

are hereby confirmed.

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 services; 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 to the Commission that the 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 the granting of 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. R. Widdison, Saguache, 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 rough lumber, from forest to sawmills, places of storage, and loading points within a radius of fifty miles of said forest, within 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 7th day of October, 1965.

ls

(Decision No. 66009)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF J. WALTER GYLLING OF LA JARA, COLORADO FOR AN ORDER REQUIRING THE SAN LUIS VALLEY COOPERATIVE, INC. AND/OR THE PUBLIC SERVICE COMPANY OF COLORADO TO FURNISH SERVICE AND EQUIPMENT AND EXTEND POWER LINE.

APPLICATION NO. 21469

October 7, 1965

Appearances: J. E. Pound, Esq., Alamosa, Colorado, for Applicant;
Carlos F. Lucero, Esq., Alamosa, Colorado, for Applicant;
Bryant O'Donnell, Esq., Denver, Colorado, for Public Service Company;
William O. De Souchet, Esq. Alamosa, Colorado, for San Luis Valley;
Paul M. Brown, Denver, Colorado, of the Staff of the Commission.

S T A T E M E N T

BY THE COMMISSION:

The above-styled application by J. W. Gylling seeks to obtain three phase electric service to supply electric power and energy to operate five motors of $7\frac{1}{2}$ H.P. each at a grain storage elevator located in the $SE\frac{1}{4}$ of the $SW\frac{1}{4}$, Section 10, Township 35 N, Range 9 E, of the New Mexico Principal Meridian.

After due notice to all interested parties, the matter was set for hearing at 10:00 o'clock A.M. Friday, September 24, 1965, in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado.

Applicant is an individual who has erected a grain storage elevator which requires power for its operation. It is alleged in the application that San Luis Valley Rural Electric Co-operative, Inc.

(San Luis), a public utility serving certain areas of the San Luis Valley, would have to extend its electric distribution line 2½ miles at a cost to Mr. Gylling of $3,800; that Public Service Company of Colorado (Public Service), a public utility serving separate areas of the San Luis Valley, among others, in Colorado, would have to extend only 330 feet; that he is situated in the area certificated to San Luis by this Commission in its Decision No. 65447 of July 27, 1965; and that relief should be granted to applicant by this Commission from the hardship created by said Commission decision.

After the matter was called up for hearing and appearances taken, the attorney for Public Service advised that an agreement had been reached by the Applicant, San Luis and Public Service prior to the hearing and requested the Commission to approve the following stipulation:

> ". . . it was stipulated and agreed by and between the parties hereto that Public Service Company would render temporary service to the customer, and the service is to be until such time as San Luis Valley extends its facilities so that it can render service to the customer at no more of a charge than will be charged by the Public Service Company.
>
> The charge that Public Service Company will make to the customer to render service will be no extension deposit whatsoever, but there will be a yearly guaranteed revenue to the company of $455.76, which is something slightly under $40.00 a month. And that guaranteed revenue, of course, may be used up in energy, and it is applicable at the end of the year. It will be determined what the customer's total bill was. If it's less than $455.76, he'll be billed the difference; if it's more, there will be no charge other than the standard rate."

Service will be furnished by Public Service under its applicable Rate, but at not less than an annual minimum charge derived pursuant to the extension policy of Public Service contained in its Tariff on file with this Commission.

The date of assumption of electric service to applicant by San Luis is in the indefinite future and is dependent upon the demands for electric service made upon San Luis requiring the extension

of its three phase facilities, or because of other added electric loads requiring greater line capacity than now exists in its single phase line serving the area where applicant is situated, and areas beyond. Upon the assumption of the supply of electric service by San Luis, service will be billed pursuant to San Luis' applicable Rate. The application of the extension policy of San Luis cannot produce a greater annual minimum bill than established by Public Service but could operate to produce a lesser annual minimum.

Public Service will not abandon its electric service until San Luis is ready to serve. The matter of compensation, if any, for out-of-pocket expenses by Public Service and the acquisition of facilities installed by it that may be assumed by San Luis, is to be worked out by the two parties and set forth in a letter of agreement, a copy of which will be filed with the Commission.

It was further stipulated that the matter be continued on the docket of the Commission until further action of the applicant. This does not now appear to be necessary. Public Service has completed the electric line extension and is ready to furnish electric service when the applicant's wiring installation is completed. This is information supplied by Public Service Company on September 29, 1965; thus the electric service desired by applicant is in place and awaiting his convenience.

Chairman Zarlengo and Commissioner Horton, having been present throughout the Hearing, accepted the stipulation from the bench to be followed by a formal order.

F I N D I N G S

THE COMMISSION FINDS:

That the above statement by reference be made a part hereof.

That it has jurisdiction of the subject matter herein, and of Public Service and San Luis.

That the location for which electric service is desired by Applicant is situate in territory certificated to be served by San Luis.

That due to the physical location of the three phase facilities, Public Service can render electric service at less cost to Applicant than San Luis and that Public Service should provide temporary electric service pursuant to the terms of the Stipulation contained in the above statement.

That Public Service be issued a temporary certificate to provide electric service to Applicant.

That no good purpose would be served by keeping the matter open but the Commission should retain jurisdiction to make such further Order or Orders as may be required.

O R D E R

THE COMMISSION ORDERS:

That the public convenience and necessity requires Public Service to furnish three phase electric service to Applicant for a grain storage elevator located in the SE¼ of the SW¼, Section 10, Township 35 N, Range 9 E, of the New Mexico Principal Meridian.

That this Order shall be taken, deemed and held to be a temporary certificate of public convenience and necessity therefor.

That upon the extension of three phase electric service by San Luis to the vicinity of the grain elevator, it shall assume service to Applicant's grain elevator to be billed in accordance with its applicable rate but at no greater annual minimum charge than provided in the foregoing stipulation. Public Service will then abandon electric service to the applicant and thereupon its temporary Certificate of Public Convenience and Necessity shall terminate.

That Public Service shall not discontinue the furnishing of three phase electric service prior to the assumption of such service by San Luis except pursuant to the rules and regulations contained in its Tariff on file with this Commission.

That Public Service and San Luis shall file a conformed copy of their letter of agreement containing the method of transfer of facilities, if any, at the time San Luis assumes the supplying

three phase electric service to Applicant.

That the Commission retains jurisdiction of this matter to make such further Order or Orders as it may deem proper.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

HENRY E. ZARLENGO

Commissioners

Dated at Denver, Colorado,
this 7th day of October, 1965.

et

(Decision No. 66010)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MAX M. HOBBS, GENERAL DELIVERY,)
ANTONITO, COLORADO, FOR A CLASS "B") APPLICATION NO. 21441-PP
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

October 7, 1965

Appearances: Max M. Hobbs, Antonito, 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.

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 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 the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to render and to conduct the service herein sought; that he is presently operating under temporary authority heretofore issued by this Commission; and that, in his opinion, his proposed operation, if authorized by the Commission, would not impair the efficient

public service of any authorized motor vehicle common carrier adequately serving the same territory over the same general highway route, or routes.

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

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

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 services; 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 to the Commission that the 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 the granting of 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 Max M. Hobbs, Antonito, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs, between points within 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 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 hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 7th day of October, 1965.

et

(Decision No. 66011)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
FRANK J. LYNG, BOX 114, SOUTH FORK,)
COLORADO, FOR A CLASS "B" PERMIT TO) APPLICATION NO. 21439-PP
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

October 7, 1965

Appearances: Frank J. Lyng, South Fork, 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.

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 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 the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

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

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

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 services; 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 to the Commission that the 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 the granting of 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 J. Lyng, South Fork, 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 75 miles of said forests; 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 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 hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 7th day of October, 1965

et

(Decision No. 66012)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WEST TRANSIT MIX CONCRETE, INC.,)
P. O. BOX 386, ALAMOSA, COLORADO,)
FOR AUTHORITY TO EXTEND OPERATIONS) APPLICATION NO. 21438-PP-Extension
UNDER PERMIT NO. B-6570.)

October 7, 1965

Appearances: John D. West, Alamosa, Colorado, for Applicant.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, West Transit Mix Concrete, Inc., Alamosa, Colorado, was authorized to operate as a Class "B" private carrier by motor vehicle for hire (Permit No. B-6570), authorizing transportation of:

> Transportation of ready-mixed concrete (consisting of sand, gravel, cement, and water mixed together in a mixer-truck as ready-mixed concrete), from batch plant in Alamosa, Colorado and from batch plant in Monte Vista, Colorado, to all points in the San Luis Valley.

By the above-styled application, said permit-holder seeks authority to extend operations under said Permit No. B-6570, 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 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 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 of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, John D. West, President of the applicant corporation, appeared and testified in support of the application, stating that Applicant corporation is the owner and operator of Permit No. B-6570 as previously issued by the Commission; that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

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

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

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 services; 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 to the Commission that the 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 the granting of 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 West Transit Mix Concrete, Inc., Alamosa, Colorado, be, and it hereby is, authorized to extend operations under Permit No. B-6570, 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 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 this Order is made part of the permit granted to Applicant, and shall become effective twenty-one days from date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 7th day of October, 1965

et

(Decision No. 66013)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF DONALD B. PROCTOR, DOING BUSINESS AS "MASTERSON SIGHTSEEING TOURS," 1264 ULSTER STREET, DENVER, COLORADO, AND THOMAS B. MASTERSON, WHO FORMERLY DID BUSINESS AS "MASTERSON's SIGHTSEEING TOURS," 2757 SOUTH GARFIELD, DENVER, COLORADO, FOR AUTHORITY TO TRANSFER PUC NO. 82 TO AIRPORT LIMOUSINE SERVICE, INC., 3455 RINGSBY COURT, DENVER, COLORADO.	APPLICATION NO. 21394-Transfer
IN THE MATTER OF THE APPLICATION OF DONALD B. PROCTOR, DOING BUSINESS AS "MASTERSON SIGHTSEEING TOURS," 1264 ULSTER STREET, DENVER, COLORADO, AND THOMAS B. MASTERSON, WHO FORMERLY DID BUSINESS AS "MASTERSON'S SIGHTSEEING TOURS," 2757 SOUTH GARFIELD, DENVER, COLORADO, FOR AUTHORITY TO TRANSFER PUC NO. 1355 TO AIRPORT LIMOUSINE SERVICE, INC., 3455 RINGSBY COURT, DENVER, COLORADO.	APPLICATION NO. 21395-Transfer
IN THE MATTER OF THE APPLICATION OF DONALD B. PROCTOR, DOING BUSINESS AS "MASTERSON SIGHTSEEING TOURS," 1264 ULSTER STREET, DENVER, COLORADO, AND THOMAS B. MASTERSON, WHO FORMERLY DID BUSINESS AS "MASTERSON'S SIGHTSEEING TOURS," 2757 SOUTH GARFIELD, DENVER, COLORADO, FOR AUTHORITY TO TRANSFER PUC NO. 1589 TO AIRPORT LIMOUSINE SERVICE, INC., 3455 RINGSBY COURT, DENVER, COLORADO.	APPLICATION NO. 21396-Transfer

October 7, 1965

Appearances: Walter M. Simon, Esq., Denver, Colorado, for Applicants;
Thomas B. Masterson, Esq., Denver, Colorado, pro se, and for Donald B. Proctor;
David Butler, Esq., Denver, Colorado, for Colorado Transportation Company and Colorado Motor Way, Inc.
John R. Barry, Esq., Denver, Colorado, for Denver Colorado Springs Pueblo Motor Way and Continental Trailways, Inc.
John F. Mueller, Esq., Denver, Colorado, for Zone Cabs.

S T A T E M E N T

BY THE COMMISSION:

By the three above-entitled applications, Donald B. Proctor seeks authority to transfer to Airport Limousine Service, Inc., the following authorities:

PUC NO. 82

Application No. 557, Decision No. 1120, authority to conduct a motor vehicle operation for the transportation of passengers over the following routes:

A. Denver to Estes Park, via North St. Vrain;
B. Denver to Estes Park, via South St. Vrain;
C. Denver to Pikes Peak;
D. Denver to Georgetown Loop;
E. Denver to Echo Lake and Mt. Evans;
F. Denver to Denver Mountain Parks;

subject to the following terms and conditions:

1. That no transportation of passengers to any intermediate points on the routes designated shall be permitted;

2. That all operations shall be limited to sightseeing, round-trip, one-day operations;

3. That the quantity of equipment to be used in the operations shall be limited to four (4) automobiles.

Application No. 1636, Decision No. 4320, authority to transport passengers and their personal baggage to and from the City and County of Denver from and to any and all other counties, cities, towns and points within the State of Colorado in the nature of a special taxicab and bus service (except that portion of the foregoing authority heretofore transferred by Decision No. 43097).

Application No. 557-B, Decision No. 10174, sightseeing extended to transportation of passengers on round trips originating in Denver, over the following routes:

Trip No. 1 -- (Round Trip from Denver)
Known as the "Gold Patch" trip, reaching Nederlands, Central City, and Idaho Springs, over a distance of some 112 miles, consuming the major part of one day, the charge being $8.00 per person, and the minimum number of persons on a trip being 2.

Trip No. 2 -- (Round Trip from Denver)
Designated as the "Jarre Canyon," covering a section of South Platte and Jarre Canyon, a distance of approximately 162 miles, consuming the major portion of one day at a charge of $8.00 per person, with a minimum of three passengers on the trip.

Trip No. 3 -- (Round Trip from Denver)
Which takes in a part of the Denver Mountain Parks including Mt. Evans, and the Leadville and Fairplay sections covering some 318 miles, consuming approximately two days, at a charge of $16.00 per person, with a minimum of three passengers.

Trip No. 4 -- (Round Trip from Denver)
Called the "Peak to Peak" trip, extending from Long's Peak to Pike's Peak and touching many of the scenic points between those two peaks, over a distance of approximately 411 miles, consuming from two to three days, at a charge of $20.00 per passenger, with a minimum of four passengers.

Trip No. 5 -- (Round trip from Denver)
Called the "Mesa Verde" trip, which reaches most of the major scenic attractions of the State of Colorado, traversing the mining areas, mountainous districts of the state, the park areas, and points of interest on the Western Slope. It consumes in all, approximately six days, and covers more than 1,000 miles travel, at a charge of $80.00 per passenger, and a minimum of four passengers to the car.

Trip No. 6 -- (Round Trip from Denver)
Extends from Denver to Colorado Springs. Is made in one day, the distance being 223 miles, and the charge, $10.00 per person, with a minimum of three passengers to the car,

the operation to be limited to the use of four cars for all of said trips, applicant not being permitted to establish a branch office in any town or city other than Denver, Colorado.

Application No. 12472, Decision No. 41032, authority to transport passengers and their personal baggage upon call and demand extended to:

Point to point within the geographical limits of the City and County of Denver, State of Colorado, taxicab service within said City and County of Denver being limited to the use of one car.

PUC NO. 1355

Decision No. 13892, as amended by Decision No. 14460, authority to operate as a common carrier by motor vehicle for hire in the transportation of:

Passengers on regular schedule between Evergreen, Brook Forest, Troutdale, and Bendemeer Lodge, and intermediate points; and the conduct of sightseeing, round-trip service from Evergreen, Troutdale, Brook Forest, and Bendemeer Lodge to Mt. Evans, Echo Lake, Idaho Springs, Silver Plume, Georgetown, Platte Canon, Bailey, Kiowa Lodge, Colorado Springs, Grand Lake, West Portal, Berthoud Pass, Central City, Blackhawk, via Lookout or Bear Creek, Lookout Mountain, Morrison, Indian Hills, Tiny Town, and Boulder, subject to the following restrictions:

(a) Applicant shall not solicit any business at any points outside of where it is authorized to originate trips; (b) All sightseeing trips shall be conducted on a round trip, one-day basis, and commence and terminate at points authorized to be served in the Evergreen Area.

PUC NO. 1589

Decision No. 22585, authority to operate as a common carrier by motor vehicle for hire, for the transportation of:

passengers and their baggage, for hire, between points within a radius of fifteen miles of Evergreen, without the right to operate on schedule or to engage in sightseeing service.

No party appearing at the hearing raised any question or objection to the proposed transfers of PUC Nos. 1355 and 1589.

With respect to PUC No. 82, from the testimony at the hearing and from the records of this Commission, it appears that by Application No. 17849, filed June 1, 1960, Commission approval was sought of a transfer of PUC No. 82 from Thomas B. Masterson to Donald B. Proctor. By Decision No. 54579, dated June 28, 1960, this Commission approved and authorized said transfer, however, said Decision made no reference to any rights Thomas B. Masterson may have had under Decision 4320 as follows:

"authority to transport passengers and their personal baggage to and from the City and County of Denver from and to any and all other counties, cities, towns and points within the State of Colorado in the nature of a special taxicab and bus service (except that portion of the foregoing authority heretofore transferred by Decision No. 43097)."

Thomas B. Masterson appeared at the hearing on the present application and testified that it was his intention, in 1960, to transfer all PUC operating rights held by him under PUC No. 82 to Donald B. Proctor, including any operating rights he may have had under Decision 4320; he further testified that he joined as a transferor in the present application in order to clarify his own position in the matter.

Thomas B. Masterson, in joining in the present application, is in effect "quit claiming" to Airport Limousine Service, Inc., any right, title or interest he may still have in the operating rights created under Decision No. 4320. Under former decisions of this Commission, Airport Limousine Service, Inc., is the owner of any rights under Decision 4320 that are not held by either Proctor or Masterson, and the total effect of the present application, as respects said 4320 authority, will be to vest in Airport Limousine Service, Inc., all possible interest in the 4320 authority.

The financial responsibility of transferee was established to the satisfaction of the Commission, as was its operating reliability.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing statements hereby are made a part of these findings by reference.

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 Donald B. Proctor, doing business as "Masterson's Sightseeing Tours", be, and he is hereby, authorized to transfer all right, title and interest in and to PUC Nos. 82, 1355 and 1589 -- being the operating rights set forth in Statement preceding, which is made a part hereof by reference -- to Airport Limousine Service, Inc., Denver, Colorado, subject to payment of outstanding indebtedness against said operating rights, if any there be, whether secured or unsecured.

That Thomas B. Masterson, who formerly did business as "Masterson's Sightseeing Tours," be, and he hereby is, authorized to transfer all right, title and interest, if any, that he may still

have in the operating rights originally granted to M. P. Masterson under Decision 4320, to Airport Limousine Service, Inc.

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

The tariff of rates, rules and regulations of the transferor, Donald B. Proctor, doing business as Masterson Sightseeing Tours, shall, upon proper adoption notice, become and remain those of transferee until changed according to law and the rules and regulations of this Commission.

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 7th day of October, 1965.

ls

(Decision No. 66014)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
ACADEMY VAN & STORAGE, INC.,) PUC NO. 334 and PUC NO. 334-I
4206 MADISON, DENVER, COLORADO.)

October 8, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

A written request from the above carrier has been received for a waiver from the Commission of its Rule relating to the filing of cash, or a surety bond, concerning C.O.D. shipments.

Upon full consideration of the matter the Commission states and finds that to grant the request will not be in the public interest and should be denied.

O R D E R

THE COMMISSION ORDERS:

That the request above referred to 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 8th day of October, 1965.

ls

(Decision No. 66015)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
SOUTHWESTERN FILM SERVICE, 8319) PUC NO. 3176
AZTEC N. E., ALBUQUERQUE, NEW)
MEXICO)

October 8, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

A written request from the above carrier has been received for a waiver from the Commission of its Rule relating to the filing of cash, or a surety bond, concerning C.O.D. shipments.

Upon full consideration of the matter the Commission states and finds that to grant the request will not be in the public interest and should be denied.

O R D E R

THE COMMISSION ORDERS:

That the request above referred to 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 8th day of October, 1965.

ls

(Decision No. 66016)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF CADWELL TRUCKING CO., INC., 2119 HIGHWAY 50 EAST, PUEBLO, COLORADO.	PUC NO. 351, PUC NO. 370, PUC NO. 370-I, PUC NO. 474 PUC NO. 474-I, PUC NO. 1090 PUC NO. 1090-I

October 8, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

A written request from the above carrier has been received for a waiver from the Commission of its Rule relating to the filing of cash, or a surety bond, concerning C.O.D. shipments.

Upon full consideration of the matter the Commission states and finds that to grant the request will not be in the public interest and should be denied.

O R D E R

THE COMMISSION ORDERS:

That the request above referred to 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 8th day of October, 1965.

ls

(Decision No. 66017)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF KRISTOFFER D. SORTLAND, DOING BUSINESS AS "CRAWFORD-MAHER STAGE LINE," BOX 158, CRAWFORD, COLORADO

PUC NO. 579 and PUC NO. 579-I

October 8, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

A written request from the above carrier has been received for a waiver from the Commission of its Rule relating to the filing of cash, or a surety bond, concerning C. O. D. shipments.

Upon full consideration of the matter the Commission states and finds that to grant the request will not be in the public interest and should be denied.

O R D E R

THE COMMISSION ORDERS:

That the request above referred to 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 8th day of October, 1965.

ls

(Decision No. 66018)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MRS. D. L. COLLIER, MRS. H. D. HEAD)
AND MR. L. E. HAMBLIN ON BEHALF OF)
THEMSELVES AND OTHERS SIMILARLY SITU-)
ATED FOR AN ORDER AUTHORIZING PUBLIC) APPLICATION NO. 21414
SERVICE COMPANY OF COLORADO TO RENDER)
STREET LIGHTING SERVICE IN AN UNIN-)
CORPORATED AREA IN JEFFERSON COUNTY.)

October 8, 1965

Appearances: D. D. Cawelti, Esq., Denver, Colorado, for Public Service Company of Colorado;
Paul M. Brown, 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. D. L. Collier and others, representing themselves and all other customers similarly situated, for an order authorizing Public Service Company of Colorado (Public Service) 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 above entitled matter was set for hearing after due notice to all interested parties on September 10, 1965, at 9:00 o'clock A.M. in the Hearing Room of the Commission, 532 States Services Building, Denver, Colorado, and was heard on said date by Edwin R. Lundborg, the duly appointed Examiner for the Commission. Evidence received and testimony taken in the matter together with Examiner's Report and recommendations were all submitted to the Commission and the matter taken under advisement.

No petitions of intervention were filed prior to the hearing. One person appeared at the hearing to voice his objection.

A petition for street lighting service addressed to Public Service was circulated among the residents of an area in which 160 customers now receive electric service. Of the 160 customers, signatures were obtained of 135, or a percentage of 84.4% of the total number of customers. 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 Public Service 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 25 customers did not sign, Public Service could not install street lights without an order of the Commission.

Principal spokesman for Applicants was Mrs. D. L. Collier. Mrs. Collier 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 eight other persons who are residents of the area.

Mr. H. C. Wells, 7035 West 39th, a resident of the area contained in this Application, protested being included for street lighting on the basis enough light comes from the building and grounds of the Wheatridge Junior High School, and that a new light might shine in his bedroom. He admitted the light spillover was local and of no benefit to the greater part of the area contained within the boundary set forth in the Application. He had no objection

to street lighting except he felt enough light already existed near his property. It is neither practical nor proper to selectively exclude individual properties from inclusion in the street lighting area.

Mr. J. H. Ranniger, an engineer, in the Rate Department of Public Service, testified the area met all requirements of the tariff conditions, except the number of signers. Upon an Order of this Commission, Public Service 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 P.U.C. 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 $2,384 which will be provided from internal funds of Public Service.

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 requires the installation of a street lighting system in the area described in the Order to follow.

That the Commission is informed in the matter and the Report of the Examiner should be approved.

O R D E R

THE COMMISSION ORDERS:

That 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 16 in number, shall be installed as required in the area described as follows:

> Beginning at the northeast corner of the intersection of Upham Street and West 38th Avenue, thence north along the east right of way line of Upham Street to the northwest corner of the premises occupied by the Wheatridge Junior High School and recreation complex; thence east along the north line of said premises, the easterly portion of which is common to the south lines of the lots south of West 42nd Avenue and east of Teller Street, to the southwest corner of the lot numbered as 7030 West 42nd Avenue; thence south along the west lot lines of the lots numbered as 4103 and 4001 Reed Street (occupied by the Reed Street Elementary School) to the southwest corner of said last-named lot; thence east along the south line of said last-named lot, across Reed Street and continuing east along the north lot lines of the lots numbered as 4040 Reed Street, and 4085 and 4080 Quay Street to the northeast corner of said last-named lot; thence south along the east lot lines of the lots east of Quay Street to the southeast corner of the lot numbered as 3930 Quay Street; thence east along the north line of the lot numbered as 3915 Pierce Street extended to the center line of Pierce Street; thence south along said center line to the intersection with the extended north line of the lot numbered as 3900-3920 Pierce Street (presently occupied by a parking lot) to the northeast corner of said last-named lot; thence south along the east lines of the lots east of Pierce Street to the southeast corner of the lot numbered as 3810 Pierce Street; thence west along the south line of said lot extended to the center line of Pierce Street; thence south along said center line to the intersection with the extended south lot lines of the lots south of West 38th Avenue; thence west along said south lot lines to the southwest corner of the lot numbered as 7100 West 38th Avenue; thence north along the west line of said lot extended to the north right-of-way line of West 38th Avenue; thence west along said right-of-way lines to the Point of Beginning.

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

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 8th day of October, 1965.

et

(Decision No. 66019)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO EXERCISE FRANCHISE RIGHTS IN THE TOWN OF LA JARA, COUNTY OF CONEJOS, STATE OF COLORADO, FOR THE PURCHASE, MANUFACTURE, GENERATION, TRANSMISSION, DISTRIBUTION AND SALE OF ELECTRICAL ENERGY AND GAS, EITHER NATURAL, ARTIFICIAL OR MIXED, IN SAID TOWN OF LA JARA, AND THE DISTRIBUTION AND SALE OF GAS IN THE AREA CONTIGUOUS THERETO.)

APPLICATION NO. 21409

October 8, 1965

Appearances: Lee, Bryans, Kelly & Stansfield, Esqs., Denver, Colorado, by D. D. Cawelti, Esq., Denver, Colorado, for Applicant;
Paul M. Brown, Denver, Colorado, of the Staff of the Commission.

S T A T E M E N T

BY THE COMMISSION:

Public Service Company of Colorado filed an application with this Commission, seeking a certificate of public convenience and necessity authorizing the exercise of franchise rights granted by the Town of La Jara, County of Conejos, Colorado, for the purchase, manufacture, generation, transmission, distribution and sale of electricity, and gas, either natural, artificial or mixed, in said Town, and authorizing the distribution and sale of gas in the area contiguous thereto.

The above entitled matter was set for hearing after due notice to all interested parties on September 10, 1965, at 9:00 o'clock A.M. in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, and was heard on said date by Edwin R. Lundborg, the duly appointed Examiner for the Commission. Evidence

received and testimony taken in the matter together with Examiner's Report and recommendations were all submitted to the Commission and the matter taken under advisement.

No one appeared at the hearing in opposition to the granting of this application.

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

Applicant showed that on July 6, 1965, the Board of Trustees of the Town of La Jara duly passed and adopted Ordinance No. 127 of the Town of La Jara, which franchise ordinance was introduced in evidence as Exhibit No. A and is entitled as follows:

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

The term of said franchise is for a period of twenty-five years. Attached to the franchise introduced in evidence is a certificate of introduction, passage and signature by the Mayor, and a certificate

the recording by the Town Clerk and of the acceptance of the franchise by Applicant. Exhibits B and C are maps of the electric and gas distribution system in the Town of La Jara. These exhibits, by reference, are made a part hereof.

Witness for Applicant, Mr. D. E. Lichtenwalter, testified that Applicant obtains its natural gas for distribution and sale in La Jara from the gas transmission line of the Western Slope Gas Company, a wholly-owned subsidiary, and obtains its electric energy from the interconnected electric central system of Applicant.

The existing facilities will be utilized in continuing said gas and electric service. There is no other public utility in the business of distributing gas and electricity in said Town of La Jara. Applicant is serving 89 residential gas customers and 230 residential electric customers. The population of Town was 724 at the time of the 1960 U. S. Census.

Witness estimated that $41,300 additional capital investment in the combined gas and electric distribution systems in the Town of La Jara during the term of the franchise will be necessary.

The Commission has reviewed the instant application and the evidence presented by Applicant in support thereof. The Commission is of the opinion that the authority sought herein should be granted.

The estimates regarding investment, both gas and electric, will be used as the basis for the fee for the issuance of the certificate but will not be binding upon the Commission in any subsequent investigation where valuation may be an issue.

F I N D I N G S

THE COMMISSION FINDS:

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

That the report of the Hearing Examiner, which is reflected in the above Statement, should be hereby adopted by this Commission.

That the Commission is fully advised in the premises.

That the public convenience and necessity require, and will require, the exercise by Public Service Company of Colorado, of the franchise rights granted in and by Ordinance No. 127 of the Town of La Jara, dated July 6, 1965, for the purchase, manufacture, generation, transmission, distribution and sale of gas and electricity by Public Service Company of Colorado in said Town, and the distribution and sale of gas in the area contiguous thereto.

All gas to be sold hereunder should be odorized prior to sale to customers.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require, and will require, the exercise by Public Service Company of Colorado, of the franchise rights granted in and by Ordinance No. 127 of the Town of La Jara dated July 6, 1965, marked Exhibit A herein, which by reference is made a part hereof for the purchase, manufacture, generation, transmission, distribution and sale of electricity and gas, either natural, manufactured or mixed, by Public Service Company of Colorado in said Town, and the distribution and sale of gas in the area contiguous thereto, and this Order shall be taken, deemed and held to be a CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY therefor.

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

That Public Service Company of Colorado shall continue to maintain its books and accounts in accordance with the Uniform System of Accounts, and shall continue its practices in accordance with the Rules Regulating the Service of Gas and Electric Utilities as adopted by this Commission.

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

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 8th day of October, 1965.

et

(Decision No. 66020)

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 RENDITION OF STREET LIGHTING SERVICE PURSUANT TO COLORADO PUC TARIFF NO.2-ELECTRIC, FOURTH REVISED SHEET NO. 75, SECOND REVISED SHEET NO. 75A AND SECOND REVISED SHEET NO. 75B IN AN UNINCORPORATED AREA IN JEFFERSON COUNTY.

APPLICATION NO. 21415

October 8, 1965

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

S T A T E M E N T

BY THE COMMISSION:

Applicant, Public Service Company of Colorado, filed its application requesting the authorization of this Commission to render street lighting service in an unincorporated area consisting of Green Mountain Subdivision, Filings No. 10 and No. 12 in Jefferson County, as shown on the map identified as Exhibit A attached to the application.

The above entitled matter was set for hearing after due notice to all interested parties on September 10, 1965, at 9:00 o'clock A.M. in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, and was heard on said date by Edwin R. Lundborg, the duly appointed Examiner for the Commission. Evidence received and testimony taken in the matter together with Examiner's Report and recommendations were all submitted to the Commission and the matter taken under advisement.

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

The areas for which application is made are later filings of the large Green Mountain Village Subdivision, in earlier filings of which service was initially rendered by Colorado Central Power Company, since merged with Applicant, under an arrangement by which street lighting was provided by virtue of restrictive covenants in subdivision filings. Street lighting for Filings No. 10 and No. 12 was provided on the basis of Applicant's Tariff, Colorado P.U.C. No. 2 - Fourth Revised Sheet No. 75, Second Revised Sheet No. 75A and Second Revised Sheet No. 75B which provides, among others, that service may be provided under the terms and provisions of an unconditional restrictive covenant binding all present and future property owners to Public Service Company of Colorado tariffs applicable to street lighting service. This Tariff also provides that developers in the area may obtain applications for street lighting service from purchasers of homes. As a result of confusion on the part of the developers said restrictive covenants were not included in the subject subdivision filings. It was thought that these covenants had been included and street lights were installed. When it was found that the covenants had inadvertently been omitted, the subdivision developer made a diligent effort to obtain the signatures of all electric customers in the area. Of the 290 customer-occupants, 282 were contacted and signatures obtained of all but 1, or a percentage of 96.9 of the total number of existing customers. Applications of the various customers were presented at the hearing as Exhibit No. B.

The tariff of Applicant, 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 Applicant 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 8 cus-

tomers did not sign, and a few lots remain to be sold to complete the subdivision development, Applicant should not render street lights without an order of the Commission.

Mr. J. H. Ranniger, an engineer in the Rate Department of Applicant, testified the area met all requirements of the tariff conditions, except the number of signers. Upon an Order of this Commission, Applicant is ready, willing and able to continue to render street lighting in the area. As provided in the tariff, a charge of $0.45 per month per customer will be made. 7,000 lumen mercury vapor vertically operated, non-ornamental lights will be provided. Service will be furnished in accordance with tariff sheets, Colorado P.U.C. No. 2 - Electric, Fourth Revised Sheet No. 75, Second Revised Sheet No. 75A and Second Revised Sheet No. 75B.

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 continued operation of a street lighting system in the area described in the Order to follow.

That the Commission is informed in the matter and the Report of the Examiner should be approved.

O R D E R

THE COMMISSION ORDERS:

That Public Service Company of Colorado is hereby authorized and directed to continue to operate and maintain a non-ornamental, mercury vapor street light system in accordance with the provisions of its Tariff, Colorado PUC No. 2 - Electric, Fourth Revised Sheet No. 75, Second Revised Sheet No. 75A and Second Revised Sheet No. 75B

now existing or as it may be changed under the rules of this Commission, or according to law.

That street lights, 41 in number, now in service, shall continue to be operated plus additional lights as required upon completion of development of the subdivision in the area described as follows:

Green Mountain Subdivision,
Filings No. 10 and No. 12
Jefferson County.

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

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 8th day of October, 1965.

et

(Decision No. 66021)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF COLUMBINE TELEPHONE COMPANY, A COLORADO CORPORATION, TO FILE APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO SERVE THE GREAT SAND DUNES MONUMENT AND ADJACENT AREAS AS MORE FULLY SET FORTH IN APPLICATION.

APPLICATION NO. 21532
ORDER TO SET FOR HEARING ON LESS THAN TEN DAYS' NOTICE

October 8, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On September 30, 1965, a petition to set the above application for hearing on less than the statutory ten days' notice was filed with the Commission and request was made that said hearing be set on October 5, 1965, in Denver, Colorado.

The Commission having considered the petition and being fully advised in the premises, finds that good cause exists and the public interest requires that the hearing be set on less than the statutory ten days' notice and for setting said application for hearing on October 5, 1965 at 9:00 o'clock A.M., in the Hearing Room of the Commission, at 532 State Services Building, Denver, Colorado.

O R D E R

THE COMMISSION ORDERS:

It is hereby ordered that the above application be set for hearing on October 5, 1965 at 9:00 o'clock A.M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado.

It is further ordered by the Commission that this Order shall be effective, nunc pro tunc, as of October 1, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 8th day of October, 1965.

et

(Decision No. 66022)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GENE DiSALLE, 4622 LOGAN, DENVER,)
COLORADO, FOR A CLASS "B" PERMIT TO) APPLICATION NO. 21498-PP
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

October 8, 1965

Appearances: Gene DiSalle, Denver, 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.

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 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 the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

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 services; 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 to the Commission that the 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 the granting of 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 Gene DiSalle, Denver, 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 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; also: coal, from mines in Northern Colorado, to Denver and a ten-mile radius thereof, Boulder, and Valmont Plant of Public Service near Boulder; 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 8th day of October, 1965.

ls

(Decision No. 66023)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF EDWARD D. JONES, DOING BUSINESS AS "UNIVERSAL TRUCKING," 3600 ADAMS STREET, DENVER, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 21491-PP

October 8, 1965

Appearances: G. A. Score, 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.

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 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 the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

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 services; 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 to the Commission that the 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 the granting of 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 Edward D. Jones, doing business as "Universal Trucking," Denver, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of 100 miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to home and small construction jobs within a radius of 100 miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of 100 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 100 miles of said pits and supply points, 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 8th day of October, 1965.

ls

(Decision No. 66024)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ERNEST H. SMITH, BOX 245, ECKLEY,)
COLORADO, FOR A CLASS "B" PERMIT) APPLICATION NO. 21486-PP
TO OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

October 8, 1965

Appearances: Ernest H. Smith, Eckley, 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.

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 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 the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

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 services; 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 to the Commission that the 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 the granting of 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 Ernest H. Smith, Eckley, 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 150 miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to home and small construction jobs within a radius of 150 miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of 150 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 150 miles of said pits and supply points, transportation of road-surfacing materials 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 amend-

ments 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 secure authority sheets.

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 8th day of October, 1965.

(Decision No. 66025)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LEROY D. ELLIOTT, P. O. BOX 1233,)
ADAMS CITY, COLORADO, FOR A CLASS "B") APPLICATION NO. 21481-PP
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

October 8, 1965

Appearances: Marjorie M. Elliott, Commerce City, 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.

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 of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of Examiner states that at the hearing, Mrs. Marjorie M. Elliott, wife of the Applicant, appeared and testied in support of the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; and that her husband has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation. Mrs. Elliott further testified that her husband requests that said operating rights, if granted, be known as Permit No. B-6670.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

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 services; 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 to the Commission that the 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 the granting of 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 Leroy D. Elliott, Adams City, 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 75 miles of said forests; rough lumber, from sawmills in said 75 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 said operating rights be assigned the number "B-6670."

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 8th day of October, 1965.

(Decision No. 66026)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF RUTH K. RAMSTETTER, EXECUTRIX OF THE ESTATE OF GEORGE RAMSTETTER, DECEASED, DOING BUSINESS AS "CENTRAL CITY BUS LINE," BOX 696, CENTRAL CITY, COLORADO, FOR AUTHORITY TO TRANSFER PUC NO. 4357 TO ELDRED M. COLE, DOING BUSINESS AS "CENTRAL CITY BUS LINE," 3370 SOUTH KNOX COURT, ENGLEWOOD, COLORADO.

APPLICATION NO. 21460-Transfer

October 8, 1965

Appearances: Eldred M. Cole, Englewood, Colorado, for Transferor and Transferee;
John R. Barry, Esq., Denver, Colorado, for Copy of Order.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

By the above-styled application, Ruth K. Ramstetter, Executrix of the Estate of George Ramstetter, deceased, doing business as "Central City Bus Line," Central City, Colorado, seeks authority to transfer PUC No. 4357 to Eldred M. Cole, doing business as "Central City Bus Line," Englewood, Colorado, said PUC No. 4357 being the right to operate as a common carrier by motor vehicle for hire, for the

> "Transportation of passengers, baggage, newspapers, and light express, between Denver and Golden, and intermediate points, on the one hand, and Central City, and points intermediate, between the junction of Highways Nos. 6 and 119, and Central City, on the other hand; provided, that any shipment of express shall not exceed 65 pounds in weight and shall not be transported in any other vehicle than the vehicle used for the transportation of passengers, and at rates that shall not be less than those charged by line-haul common carriers rendering the same service; extended for change of routing to Central City, Colorado, to include the use of Federal, State and County Highways via Idaho Springs, Colorado, in the transportation of passengers, baggage and light express, between the junction of Highways Nos. 6 and 119, along Highway No. 6 to Idaho Springs; thence to Central City, Colorado, without the right to render service between Denver, Golden, and Idaho Springs, Colorado, with the privilege of serving direct between Denver and Central City, Colorado.

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 Commmission 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, Eldred M. Cole, the transferee herein, appeared and testified in support of the granting of the instant application. His testimony generally disclosed that he is personally acquainted with the transferor herein and that it was impossible for said transferor to personally appear and testify herein; that the transferor, Ruth K. Ramstetter, is the duly appointed and acting Executrix of the Estate of George Ramstetter, deceased; that in connection with said Estate proceeding he identified copy of Letters of Administration as issued by the Probate Court, City and County of Denver, State of Colorado, evidencing said appointment; that her husband during his lifetime was the owner and operator of PUC No. 4357 and continuously operated the same save and except for the period of time when the same was operated by virtue of lease with the transferee herein; that the Probate Court in and for the City and County of Denver, State of Colorado, on August 17, 1965, by Order duly entered, approved and authorized the transfer of the certificate as herein pertinent; and that pursuant to said Court Order said Executrix has entered into an agreement to sell the herein involved certificate to him for the sum of $2,000.00.

Mr. Cole further testified that he has been operating PUC No. 4357 under lease as previously approved by this Commission; that he knows of his own personal knowledge that there is no outstanding indebtedness against said certificate; and that he has ample and suitable equipment, sufficient net worth and operating experience

with which to render and to continue operations under the certificate as sought to be transferred herein.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

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 Ruth K. Ramstetter, Executrix of the Estate of George Ramstetter, Deceased, doing business as "Central City Bus Line," Central City, Colorado, be, and hereby is, authorized to transfer all right, title, and interest in and to PUC No. 4357 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Eldred M. Cole, doing business as "Central City Bus Line," Englewood, Colorado, subject to encumbrances, if any, against said operation approved by this Commission.

That lease of PUC 4357 referred to in Examiner's Report be, and the same hereby is, cancelled and held for naught.

That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said certificate has been formally assigned and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from

the effective date of the Order shall automatically revoke the authority herein granted to make the transfer, without further Order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado
this 8th day of October, 1965.

ls

(Decision No. 66027)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF SOUTHERN UNION GAS COMPANY, FIDELITY UNION TOWER, DALLAS, TEXAS, FOR AUTHORITY TO ISSUE A MAXIMUM OF 44,500 SHARES OF COMMON STOCK.

APPLICATION NO. 21495-Securities

October 11, 1965

Appearances: A. S. Grenier, Esq., Dallas, Texas, and John R. Barry, Esq., Denver, Colorado, for Applicant; B. D. Maggard, Denver, Colorado, and E. R. Thompson, Denver, Colorado, of the Staff of the Commission.

S T A T E M E N T

BY THE COMMISSION:

This application was filed on September 17, 1965, set for hearing on October 7, 1965 at 9:00 o'clock A.M. at the hearing room of the Commission, 532 State Services Building, Denver, Colorado, and at that time and place was heard and taken under advisement by the Commission.

Southern Union Gas Company, the Applicant herein, seeks authority of the Commission to issue a maximum of 44,500 shares of its common stock, par value $1.00 per share, pursuant to stock options granted under Applicant's Officer and Key Employee Stock Option Plan, which was adopted by its Board of Directors on December 19, 1960 and approved by its stockholders on April 19, 1961. An amendment thereto, designed to accommodate it to the provisions of the Federal Revenue Act of 1964, was adopted by Applicant's Board of Directors on February 9, 1965 and approved by its stockholders on April 14, 1965. A copy of the plan as so amended (herein called the "Plan"), including the form of the options involved in this proceeding, is attached to the

application as Exhibit No. 1 thereto, and was entered in evidence in this proceeding.

Applicant is a corporation organized, created and existing under the laws of the State of Delaware and is now lawfully transacting a public utility business in the State of Colorado, owning and operating a gas transportation system in La Plata County, and a gas distribution system serving Durango, Colorado and vicinity. Applicant is also extensively engaged in the operation of natural gas properties and distribution systems located in Texas, New Mexico and Arizona, and through two wholly-owned subsidiaries it is engaged to a limited 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.

Pursuant to the Plan, options for the purchase of an aggregate of 44,500 shares of Applicant's common stock were granted on February 23, 1965 to 25 officers or key employees of Applicant or its wholly-owned subsidiary, Southern Union Production Company. On the date of the issue of such options, the market price of Applicant's common stock was $33.125 per share, and this is the purchase price specified in the options. All of the options will expire on February 23, 1970 unless exercised prior thereto. In addition, the options are subject to other terms and conditions with respect to their exercise as set forth in Exhibit No. 1. No brokerage or underwriting fees will be payable with respect to the issuance and sale of shares pursuant to such options.

Applicant anticipates a continuing need for additional funds to finance its program for the construction of gas distribution and transportation facilities, in the State of Colorado and elsewhere, during the next several years, based on Applicant's past history of continuing expansion of facilities and recurrent need for additional financing thereof and on Applicant's expectation that such

expansion will continue for the foreseeable future. The contemplated sales of Applicant's common stock pursuant to options granted under the Plan will be complementary to, and operate to reduce the total amount of, other financing which Applicant anticipates will be required during the period covered by the options.

Applicant states that an important reason for its proposed sales of common stock pursuant to the Plan is the desirability of promoting ownership of such stock among its officers and key employees, thereby inducing them to remain in the employment of Applicant and providing them with additional incentive in their efforts to expand and develop Applicant's business and improve its efficiency. Applicant also states it believes the Plan will be of material assistance to it in its efforts to attract top-quality managerial and executive personnel, as needed from time to time, in competition with other business enterprises similarly seeking to recruit such employees.

The maximum proceeds to be received by Applicant from the issuance and sale of shares of its common stock pursuant to the options granted on February 23, 1965 will be $1,474,062.50. Such proceeds, when and as received between February 23, 1966 and February 23, 1970, will initially be added to Applicant's general funds and thereafter be expended for the acquisition of property, construction, completion, extension or improvement of Applicant's facilities (including, in addition to property and facilities useful in the conduct of Applicant's utility business in the State of Colorado, property and facilities useful in the conduct of such business in other states and in the conduct of non-utility operations by Applicant and its wholly-owned subsidiaries) or in reimbursement of its treasury for a portion of the monies expended for the same purposes from the income of Applicant or from other monies in its treasury not secured by or obtained from the issuance, assumption or guarantee of securities within five years prior to the filing of the Application herein.

As evidence of Applicant's financial position, there was introduced into evidence the Company's balance sheet as of December 31, 1964, and a pro forma balance sheet of the same date reflecting the issuance of common stock in the amount proposed in this Application, Exhibit No. C.

F I N D I N G S

THE COMMISSION FINDS:

After careful consideration of the evidence adduced, and of the files, records and proceedings herein, the Commission is of the opinion, and finds:

1. That the Commission has jurisdiction over and with respect to Southern Union Gas Company, in certain of its operations, and that the proposed transactions, and the purposes for which the securities referred to are to be issued, are consistent with and permitted by the provisions of Section 115-1-4, Colorado Revised Statutes 1963, and are consistent with the public interest; and that the application to be made of such securities, or the proceeds thereof, is permitted by the applicable laws of Colorado.

2. That the foregoing Statement is made a part of these Findings herein and by reference is incorporated in these Findings.

O R D E R

THE COMMISSION ORDERS:

1. To the full extent that approval, authorization or permission 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 and sell not to exceed 44,500 of its common stock, par value $1.00 per share, at a price of $33.125 per share, pursuant to the valid exercise of stock options granted February 23, 1965 under the Plan referred to hereinabove, and to apply the proceeds from the issue and sale of such 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, in conformity with applicable laws and regulations, be necessary, incident or appropriate to the full accomplishment of the transactions hereinabove approved and authorized.

3. That within ninety (90) days after the close of each calendar year Southern Union Gas Company shall file with this Commission a report, signed and certified as to the facts by one of its executive officers, showing the following information:

(a) The number of shares of Applicant's common stock which were issued and sold during such year pursuant to the authority hereby granted.

(b) A detailed statement of expenses, if any, in connection with the issuance and sale of such stock.

4. That each common stock certificate issued by Applicant pursuant to the authority granted herein shall be identified by a legend appearing thereon as follows:

"Colo. PUC No. 21495"

5. That nothing herein shall be considered to be any recommendation or guaranty of, or any obligation with respect to, any of the aforesaid securities or the payments of dividends thereon, on the part of the State of Colorado.

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

Dated at Denver, Colorado,
this 11th day of October, 1965

et

(Decision No. 66028)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF ALLIED INDUSTRIES, INC., 3525 NORTH STONE AVENUE, COLORADO SPRINGS, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE AS A COMMON CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 21344

October 11, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

By the above-styled application, Allied Industries, Inc., Colorado Springs, Colorado, sought a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire.

The Commission is now in receipt of a communication from John P. Thompson, Attorney for Applicant, requesting dismissal of said application.

The Commission states and finds that said request should be granted and that Application No. 21344 should be dismissed.

O R D E R

THE COMMISSION ORDERS:

That Application No. 21344 be, and the same hereby is, dismissed.

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 11th day of October, 1965.

(Decision No. 66029)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF JOE TRUJILLO AND ANTONE KNEZ, BOX 508, CRAIG, COLORADO.) PERMIT NO. B-3693

October 11, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The above-styled permit holder has filed with this Commission an application for an extension of operations under Permit No. B-3693.

The records of the Commission disclose that the authority as issued to Joe Trujillo and Antone Knez has been erroneously denominated as Permit No. A-3693, when in fact the authority as actually reflected by the files disclose the same to be that of a Class "B" authority.

The Commission states and finds that authority of Joe Trujillo and Antone Knez known as Permit No. A-3693 should be corrected and changed to be known and numbered as Permit No. B-3693.

O R D E R

THE COMMISSION ORDERS:

That Permit No. A-3693 be, and the same hereby is, corrected and changed to be known and numbered as Permit No. B-3693.

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 11th day of October, 1965.

(Decision No. 66030)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF ALLIED INDUSTRIES, INC., 3525 NORTH STONE AVENUE, COLORADO SPRINGS, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 21345-PP

October 11, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

By the above-styled application, Allied Industries, Inc., Colorado Springs, Colorado, sought a Class "B" permit to operate as a private carrier by motor vehicle for hire.

The Commission is now in receipt of a communication from John P. Thompson, Attorney for Applicant, requesting dismissal of said application.

The Commission states and finds that said request should be granted and that Application No. 21345-PP should be dismissed.

O R D E R

THE COMMISSION ORDERS:

That Application No. 21345-PP be, and the same hereby is, dismissed.

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 11th day of October, 1965.

et

(Decision No. 66031)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF PAUL SMITH, DOING BUSINESS AS "CREEDE EXCAVATING," CREEDE, COLORADO, FOR AUTHORITY TO EXTEND OPERATIONS UNDER PERMIT NO. B-6742.

APPLICATION NO. 21444-PP-Extension

October 11, 1965

Appearances: Paul Smith, Creede, Colorado, pro se;
Elizabeth A. Conour, Esq., Del Norte, Colorado, for Copy of Order.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, Paul Smith, doing business as "Creede Excavating," Creede, Colorado, was authorized to operate as a Class "B" private carrier by motor vehicle for hire, Permit No. B-6742, authorizing

> transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado to road jobs, mixer and processing plants within a radius of 80 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 80 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 80 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 80 miles of said pits and supply points, transportation of road-surfacing materials being restricted against the use of tank vehicles.

By the above-styled application, said permit-holder seeks authority to extend operations under said Permit No. B-6742 to include the right to transport:

> Lead, zinc, copper, gold and silver ores and concentrates, and other ores and concentrates as mined in a twenty mile radius of Creede, Colorado, in a point to point operation from mines to mills, railheads and storage points, and

from mills to railheads, all within a twenty mile radius of Creede, 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, Paul Smith, the Applicant herein, appeared and testified in support of the application, stating that if the 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 extended service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to render and to conduct the service as herein sought.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

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 Paul Smith, doing business as "Creede Excavating," Creede, Colorado, be, and hereby is, authorized to extend operations under Permit No. B-6742 to include the transportation of lead, zinc, copper, gold and silver ores and concentrates as mined in a twenty mile radius of Creede, Colorado, in a point to point operation from mines to mills, railheads and storage points, and from mills to railheads, all within a twenty-mile radius of Creede, 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 11th day of October, 1965.

et

(Decision No.66032)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE PETITION OF WESTERN POWER & GAS COMPANY, INC., A CORPORATION, 233 SOUTH 10TH STREET, LINCOLN, NEBRASKA, FOR AUTHORITY TO ISSUE UP TO 25,000 SHARES OF ITS COMMON STOCK OF THE PAR VALUE OF $5 PER SHARE.

APPLICATION NO. 21475-Securities

October 8, 1965

Appearances: James W. Preston, Esq., Pueblo, Colorado, and Melvin A. Hardies, Esq., Chicago, Illinois, for Applicant; J. M. McNulty, Denver, Colorado, and B. D. Maggard, Denver, Colorado, of the Staff of the Commission.

S T A T E M E N T

BY THE COMMISSION:

Western Power & Gas Company, Inc. (Applicant) filed Application No. 21475-Securities with this Commission on September 9, 1965. By such application, Applicant seeks authority of this Commission to issue up to 25,000 shares of its common stock of the par value of $5 per share.

Said application was set for hearing, with notice to all interested parties, in compliance with the statutes of the State of Colorado and the rules and regulations of this Commission, at 10:00 o'clock A.M., on September 27, 1965, in Room 532 State Services Building, Denver, Colorado, and was there heard by the Commission and taken under advisement. No petitions were filed in opposition to the application, and no one appeared at the hearing opposing the authority sought by the application.

Applicant is a Kansas corporation. A certified copy of its authorization by the Secretary of State of Colorado to do business in

the State of Colorado, under prior name of Western Light & Telephone Company, Inc., 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 Kansas, gas utility properties in Nebraska, South Dakota and Kansas, telephone properties in Missouri, Iowa and Kansas and water properties in Kansas. 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, LaCrosse 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.

Action was taken by Applicant's Board of Directors on August 5, 1965, to establish an Eighth Employees' Stock Purchase Program (the "Program"), covering 25,000 shares of the Company's unissued common stock. Copies, in proof form, of the S.E.C. Registration Statement, Form S-1, the Eighth Employees' Stock Purchase Program and the Election to Purchase form referred to therein, were filed in the proceeding as Exhibits A, B and C, respectively. These exhibits set forth in detail the provisions of the Program.

The Program will follow the pattern of Applicant's predecessor's previous Employees' Stock Purchase Programs, including the Seventh Employees' Stock Purchase Program which was authorized by this Commission on October 3, 1963, by Decision No. 61517, in Application No. 19991-Securities. The principal feature of the

Program is that employees of the Applicant and its subsidiaries may purchase a limited amount of common stock of Applicant at $7 below the average market price per share after the accumulation of sufficient monthly payroll deductions at $1.50 per share per month, subject to certain maximum and minimum prices and other limiting provisions.

Applicant represents that employees' participation in the stock purchase programs promotes good employee relations and thus tends to insure better and more efficient service to the public, and that the funds derived from payments made to purchase shares under the Program will be used for construction and extension of the Applicant's facilities.

F I N D I N G S

THE COMMISSION FINDS:

That Western Power & Gas Company, Inc. is a public utility as defined in Chapter 115-1-3, CRS, 1963.

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

That the Commission is fully advised in the premises.

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

That the proposed issue and sale by Western Power & Gas Company, Inc. of up to 25,000 shares of its common stock of the par value of $5 per share for the purposes, on the terms and within the limitations, hereinabove described, are 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, 1963; and that the order sought should be issued and be made effective forthwith.

O R D E R

THE COMMISSION ORDERS:

That the issue and sale by Western Power & Gas Company, Inc., of up to 25,000 shares of its common stock of the par value of $5 per share in connection with its Eighth Employees' Stock Purchase Program

for the purposes, on the terms and within the limitations, hereinabove described, be, and they hereby are, 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. 21475

That within ninety (90) days after the expiration of the subscription period under the Eighth Employees' Stock Purchase Program, Applicant shall file with the Commission a copy of the Eighth Employees' Stock Purchase Program as made effective, and a copy of the Prospectus in respect thereof, in final form.

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

That this Commission shall 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 as of the day and date hereof. The authorization hereby granted shall, however, expire if and to the extent that the 25,000 shares of common stock which may be issued and sold pursuant to the Eighth Employees' Stock Purchase Program shall not have been issued and sold by December 31, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 8th day of October, 1965

et

(Decision No. 66033)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GEORGE A. FAGLER, DOING BUSINESS AS)
"A & H MOVING & EXPRESS COMPANY," 201)
SANTA FE DRIVE, DENVER, COLORADO, FOR) APPLICATION NO. 21490
AUTHORITY TO EXTEND OPERATIONS UNDER) EXTENSION
PUC NO. 3399 and PUC NO. 3399-I BY)
THE REMOVAL OF THE RESTRICTIONS OF)
300 POUND LIMITS AND 3/4 TON CAPACITY)
VEHICLE FROM SAID CERTIFICATE.)

October 11, 1965

Appearances: Julius I. Ginsberg and Sheldon Ginsberg, Esqs., Denver, Colorado, for Applicant;
Robert D. Means, Esq., Denver, Colorado for K. P. Moving & Storage, Inc. and Englewood Transit Company, Protestants;
Joseph F. Nigro, Esq., Denver, Colorado, for the individual members of Colorado Transfer & Warehousemen's Association and Mullis Transfer, Protestants;
Robert P. Grueter, Esq., Denver, Colorado, for Westway Motor Freight, Inc., Protestant.

S T A T E M E N T

BY THE COMMISSION:

George A. Fagler, doing business as "A & H Moving & Express Company," is the owner and operator of PUC No.3399 and PUC No. 3399-I, which authorizes:

> "Transportation of general commodities, limited to single items weighing 300 pounds or less, except that there is no package delivery service, as such, hereby authorized, from point to point, within the City and County of Denver, Colorado; Call and demand service for transportation of general commodities, limited to single items weighing 300 pounds or less, except that there is to be no package delivery, as such, hereby authorized, from points within the City and County of Denver, or within 15 miles thereof, on the one hand, to points outside the City and County of Denver, but within 15 miles thereof,

> subject to the following restriction: The operation under this extension of authority shall be limited to the use of a single truck, having a manufacturer's rated capacity not larger than 3/4 ton, and operated by the owner of the authority; freight in interstate commerce, only, between all points in Colorado and the Colorado State Boundary Lines, where all highways cross same, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended. Decision No. 63275: (PUC 3978 consolidated with 3399 & I) Transportation of household goods, baggage, new appliances, and light express, from point to point within the City and County of Denver, State of Colorado, limited to the use of one truck of three-fourths-ton capacity.

On August 27, 1965, George A. Fagler filed with the Commission the instant application seeking an extension of the above authority by the removal of the 300-pound weight and the 3/4 ton truck limitations.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at 532 State Services Building, Denver, Colorado, October 7, 1965, and at the conclusion of the evidence, the matter was taken under advisement.

We note that the extensions of authority sought herein would have the effect of converting a limited transportation service into a virtually unlimited transportation service. The applicant, however, did state at the hearing that he would be willing to accept restrictions to ton-and-a-half trucks.

The applicant himself and three other witnesses testified in support of the application. The gist of such testimony was that the applicant would like to render the additional service and the three public witnesses would like or would have liked to have the applicant render such additional service for them. The protestant common carriers in general testified that they were ready, willing and able to furnish the additional transportation services for which the applicant seeks authority, that they have equipment and personnel available to render the services, that they need all the business they can get and that the granting of the authority sought herein would adversely affect their ability to render service to the public.

Considering the entire record made in this proceeding, the applicant failed to establish that public convenience and necessity require the granting of the extended authority sought herein. No showing was made of inadequacy of service. It is clear that the application herein must be denied. We note that the burden is on the applicant to establish public convenience and necessity. Applicant has clearly failed to sustain this burden.

O R D E R

THE COMMISSION ORDERS:

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

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 11th day of October, 1965.

ls

Decision No. 66034

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
A. E. STEFFENS DBA)
VALLEY DISTRIBUTING COMPANY) AUTHORITY NO. M 5096
P.O. Box 393)
Hot Sulphur Springs, Colorado) CASE NO. 2494 Ins.
)
-)

October 11, 1965

S T A T E M E N T

By the Commission:

On September 23, 1965, 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. Hanson
Commissioners

Dated at Denver, Colorado,
this 11th day of October, 1965

(Decision No. 66035))

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
Roy N. Jones dba Ft. Morgan Truck Line)
Fort Morgan, Colorado) PUC NO. 4176-I

October 13, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective August 19, 1965

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,
this 13th day of October 1965
et

(Decision No. 66036)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
Reliance Chemical Co. of Kansas Inc.) PUC NO. 5372-I
P O Box 516)
East Point, Ga)

October 13, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 26, 1965

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,
this 13th day of October 1965

(Decision No.66037)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
Leslie S. James dba James & Son) PUC 5424-I
719 Ellsworth)
Brush, Colo 80723)

October 13, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective August 28, 1965

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Commissioners

Dated at Denver, Colorado,
this 13thday of October 1965
et

(Decision No. 66038)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
Charles M. Peregory, Jr., dba)
P & K Trucking Co.,) PUC NO. 6115-I
3421 W. Patterson Place)
Littleton, Colo 80120)

October 13, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective August 20, 1965

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Harold S. Bjelland

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,
this 13th day of October 1965
et

(Decision No. 66039)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
John F. Massey
R R 2
La Junta, Colorado 80150

PERMIT NO. B-6166-I

October 13, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 28, 1965

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard S. Bjelland
Ralph C. Norland

Commissioners

Dated at Denver, Colorado,
this 13th day of October 196 5
et

(Decision No. 66040)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
Adam C. Davidson, Jr.)
12205 E. 52nd Avenue) PERMIT NO. B-6090
Wheatridge, Colorado 80033)

October 13, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 2, 1965

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Edward S. Bjelland
Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 13th day of October 1965
et

(Decision No. 66041)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
Joseph D. Pierce) PERMIT NO. B-6632
805 Grand Blvd.,)
Security, Colorado)

October 13, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 25, 1965

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Edward S. Bjelland

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,
this 13th day of October 1965.

et

(Decision No. 66042)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
Robert H. Turner) PERMIT NO. B-6554
323 E. Columbia)
Colorado Springs, Colo 80900)

October 13, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 7, 1965

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard S. Bjelland

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,
this 13th day of October 196 5
et

(Decision No. 66043)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
Construction Investment Co.,) PERMIT NO. B-6522
1340 So. Lipan)
Denver, Colo. 80223)

October 13, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 21, 1965

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Harold D. Gillard
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 13th day of October 196 5
et

(Decision No. 66044)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
Jose P. A. Sanchez) PERMIT NO. B-6001
3033 Black Hawk St.,)
Aurora, Colo. 80010)

October 13, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 10, 1965

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 13thday of October 196 5
et

(Decision No. 66045)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
James B. Thompson)
840-4th St.,)
Durango, Colo 81301)

PERMIT NO. B-6628

October 13, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be suspended for six months.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That suspension of motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized from

August 25, 1965 until February 25, 1966

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made, insurance be filed, and compliance with all rules and regulations of the Commission applicable thereto be made, said authority without further action by the Commission, shall be revoked without the right to reinstatement.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 13th day of October 1965.

(Decision No. 66046)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
Junior R. Wellborn)
1385 Dallas) PERMIT NO. B-5924
Aurora, Colorado 80010)

October 13, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be suspended for six months.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That suspension of motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized from

September 15, 1965 until March 15, 1966

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made, insurance be filed, and compliance with all rules and regulations of the Commission applicable thereto be made, said authority without further action by the Commission, shall be revoked without the right to reinstatement.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard L. Wigle

Ralph C. Howard

Commissioners

Dated at Denver, Colorado,
this 13th day of October 1965

et

(Decision No. 66047)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
Victor M. Castle)
8420 W. 54th Place)
Arvada, Colorado 80002)

PERMIT No. B-5720

October 13, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be suspended for six months.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That suspension of motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized from

October 1, 1965 until April 1, 1966

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made, insurance be filed, and compliance with all rules and regulations of the Commission applicable thereto be made, said authority without further action by the Commission, shall be revoked without the right to reinstatement.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard S. Bjelland

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,
this 13th day of October 1965

et

(Decision No. 66048)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
William A. Green dba Colorado)
Springs Sightseeing Co.,)
11318 Larson Lane, Denver 80033)

PUC NO. 134

October 13, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be suspended for six months.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That suspension of motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized from

November 13, 1965 until May 13, 1966

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made, insurance be filed, and compliance with all rules and regulations of the Commission applicable thereto be made, said authority without further action by the Commission, shall be revoked without the right to reinstatement.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 13thday of October 1965.

et

(Decision No. 66049)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
Robert Fernandez)
1044 So. Yarrow, Denver 80226)

PERMIT NO.B-3577

October 13, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be suspended for six months.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That suspension of motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized from

June 15, 1965 until December 15, 1965

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made, insurance be filed, and compliance with all rules and regulations of the Commission applicable thereto be made, said authority without further action by the Commission, shall be revoked without the right to reinstatement.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard S. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 13th day of October 196 5.

et

Decision No. 66050

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
RECREATION ENTERPRISES, INC.)
DBA COLORADO CANYON CRUISES)
1st and Grand)
Grand Junction, Colorado 81501)
)
-)

AUTHORITY NO. PUC 6047

CASE NO. 2274 Ins.

October 13, 1965

S T A T E M E N T

By the Commission:

On September 23, 1965, 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 13th day of October, 1965

(Decision No. 66051)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
PERRY WYSE, DOING BUSINESS AS, "VALLEY AUTO SALES AND SALVAGE", 2437 HIGHWAY 6 AND 50, GRAND JUNCTION, COLORADO.) PERMIT NO. M-11011

October 15, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective August 8, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Harold D. Bjelland
Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 15th day of October 196 5.

hc

(Decision No. 66052)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
GLENN O. SPEER AND CLARENCE SCHNEIDER,) PERMIT NO.M-5261
DOING BUSINESS AS, "BROWN'S FEED)
STORE", 801 NORTH FIRST, STREET,)
GRAND JUNCTION, COLORADO. - - - - - -

- - - - - - - - - -
October 15, 1965
- - - - - - - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 10, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Edward S. Bjelland

Ralph C. Hostert

Commissioners

Dated at Denver, Colorado,
this 15th day of October 196 5.

hc

(Decision No.66053)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
CONSTRUCTION INVESTMENT COMPANY,)
1340 SOUTH LIPAN, DENVER, COLORADO.) PERMIT NO. M-6934
)

October 15, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 21, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard S. Bjelland

Ralph C. Hurlbut

Commissioners

Dated at Denver, Colorado,
this 15th day of October 196 5.

hc

(Decision No. 66054)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
JOSE P. A. SANCHEZ, 3033 BLACKHAWK,) PERMIT NO. M-3673
AURORA, COLORADO.)
)
-)

October 15, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 10, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard S. Bjelland

Ralph C. Hudson

Commissioners

Dated at Denver, Colorado,
this 15th day of October 196 5.

hc

(Decision No. 66055)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
CHARLES M. PEREGORY, JR., DOING) PERMIT NO. M-4337
BUSINESS AS, "P AND K TRUCKING COM-)
PANY", 3421 WEST PATTERSON PLACE,)
LITTLETON, COLORADO.)

October 15, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective August 20, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard S. Bjelland

Ralph C. Hanlon

Commissioners

Dated at Denver, Colorado,
this 15th day of October 196 5.

hc

(Decision No. 66056)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
LESLIE S. JAMES, DOING BUSINESS AS,) PERMIT NO. M-5254
"JAMES AND SON", 719 ELLSWORTH,)
BRUSH, COLORADO.)

October 15, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective August 28, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard S. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 15th day of October 196 5.

hc

(Decision No. 66057)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
RELIANCE CHEMICAL COMPANY OF KANSAS,) PERMIT NO. M-1407
INCORPORATED, PAUDINE, KANSAS.)
)

October 15, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 26, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Harold S. Bjelland
Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 15thday of October 1965.

hc

(Decision No. 66058)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
ROY N. JONES, DOING BUSINESS AS,) PERMIT NO. M-2394
"FT. MORGAN TRUCK LINE", EAST RIVER-)
VIEW, FORT MORGAN, COLORADO.)

October 15, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective August 19, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,
this 15th day of October 1965.

hc

(Decision No. 66059)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
JOHN F. MASSEY, RURAL ROUTE 2,) PERMIT NO.M-5641
LA JUNTA, COLORADO.)

October 15, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 28, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Edward J. Bjelland
Ralph C. Norton

Commissioners

Dated at Denver, Colorado,
this 15th day of October 196 5.

hc

(Decision No. 66060)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
ADAM C. DAVIDSON, JR. 12205 WEST)
52ND AVENUE, WHEATRIDGE, COLORADO.) PERMIT NO. M-13402
)

October 15, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 2, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Edward S. Bjelland

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,
this 15th day of October 196 5.

hc

(Decision No. 66061)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
MORGENSTERN AND SPECTER, INCORPORATED,) PERMIT NO. M-40
P. O. BOX 661, RUSSELL, KANSAS.)

October 15, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 15, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard S. Bjelland

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,
this 15th day of October 196 5.

hc

(Decision No. 66062)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
ARTHUR PAUL MOORE, ROUTE 2 BOX 308,) PERMIT NO. M-3309
DELTA, COLORADO.)
)

October 15, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 25, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard S. Bjelland

Ralph C. Norland

Commissioners

Dated at Denver, Colorado,
this 15th day of October 196 5.

hc

(Decision No. 66063)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
R. J. BUSH, DOING BUSINESS AS,)
"R. J. BUSH LUMBER COMPANY", 1124) PERMIT NO. M-3887
SOUTH 2ND, MONTROSE, COLORADO.)

October 15, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective August 27, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,
this 15th day of October 1965.

hc

(Decision No. 66064)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
WILLARD B. MARSHALL, JR., DOING) PERMIT NO. M-4704
BUSINESS AS, "MERLITE SALES COMPANY",)
134-12TH STREET, STEAMBOAT SPRINGS,)
COLORADO. - - - - - - - - - - - - - - -

- - - - - - - - - -
October 15, 1965
- - - - - - - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective August 24, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Harold D. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 15th day of October 1965.

hc

(Decision No. 66065)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
SOUTHWEST SALES OF LAWTON, INCORPORATED,)
728 "F" STREET, LAWTON, OKLAHOMA.) PERMIT NO. M-9194
)

- -

- - - - - - - - - -
October 15, 1965
- - - - - - - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 26, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Harold S. Bjelland
Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 15th day of October 1965.

hc

(Decision No. 66066)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
HALLAN V. ROGERS, DOING BUSINESS AS,) PERMIT NO. M-9136
"ROGERS GAS SERVICE", 6250 NORTH)
FEDERAL # 40, DENVER 21, COLORADO.)

October 15, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective August 25, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Commissioners

Dated at Denver, Colorado,
this 15th day of October 196 5.

hc

(Decision No. 66067)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
CLYDE T. LA BRIOLA, 4591 CLAY STREET,) PERMIT NO. M-10693
DENVER 11, COLORADO.)

October 15, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 25, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard S. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 15th day of October 196 5.

hc

(Decision No. 66068)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
DENVER KITCHENS, INCORPORATED, 2727 WEST 6TH AVENUE, DENVER 4, COLORADO.) PERMIT NO. M-12908
)

October 15, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 3, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard S. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 15th day of October 196 5.

hc

(Decision No. 66069)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
DAN ALDRICH AND HEIEN ALDRICH, DOING)
BUSINESS AS, "UTE TRADING POST",)
GENERAL DELIVERY, ANTONITO, COLO-)
RADO.)

PERMIT NO. M-15678

October 15, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 8, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard S. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 15th day of October 1965.

hc

(Decision No. 66070)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF JOSE A. CASTILLEJA, BOX 335, FREDERICK, COLORADO, FOR AUTHORITY TO TRANSFER PERMIT NO.B-6100 TO FRED G. RAMOS, 4629 VINE, DENVER, COLORADO.

APPLICATION NO. 21499-PP-Transfer

October 15, 1965

Appearances: Jose A. Castilleja, Frederick, Colorado, pro se;
Fred G. Ramos, Denver, Colorado, pro se.

S T A T E M E N T

BY THE COMMISSION:

Jose A. Castilleja, Frederick, Colorado, is the owner and operator of Permit No. B-6100, authorizing:

> Transportation of farm commodities, from farms and ranches within a radius of twenty miles of Fort Lupton, Colorado, to points within said twenty-mile radius, and from points within said twenty-mile radius, to Denver, Colorado, with no town-to-town service; used tires, from tire companies in Denver, Colorado, to Gates Rubber Company Plant, on South Broadway, in Denver, Colorado, only; coal from mines in the vicinity of Frederick, Colorado, to Frederick, Colorado, and points within a radius of five miles thereof, specifically excluding the right to transport cattle.

and by the instant application seeks authority to transfer said Permit No. B-6100 to Fred G. Ramos, Denver, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at 532 State Services Building, Denver, Colorado, October 8, 1965, and at the conclusion of the evidence, the matter was taken under advisement.

Fred G. Ramos testified that he has entered into a contract to purchase Permit No. B-6100 from Jose A. Castilleja, and identified

the contract attached to the application. Ramos further testified that he has a net financial worth in excess of $3,000 and that he has been operating under the supervision of the transferor for the past several months. He stated he will have two trucks available to render service if the proposed transfer is granted.

No one appeared in opposition to the proposed transfer.

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

F I N D I N G S

THE COMMISSION FINDS:

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

O R D E R

THE COMMISSION ORDERS:

That Jose A. Castilleja, Frederick, Colorado, be, and hereby is, authorized to transfer all right, title, and interest in and to Permit No. B-6100 to Fred G. Ramos, Denver, 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 permit has been formally assigned, and 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 15th day of October, 1965.

et

(Decision No. 66071)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF DON W. BURLESON, 430 SOUTH GARRISON, DENVER, COLORADO, FOR AUTHORITY TO TRANSFER PERMIT NO. B-4441 TO BURLESON LOADER & EXCAVATING CO., INC., 430 SOUTH GARRISON, DENVER, COLORADO.	APPLICATION NO. 21500-PP-Transfer

October 15, 1965

Appearances: Harold Raizen, Denver, Colorado, for Transferor and Transferee.

S T A T E M E N T

BY THE COMMISSION:

Don W. Burleson, Denver, Colorado, is the owner and operator of Permit No. B-4441, authorizing:

> Transportation of sand, gravel and other road-surfacing materials from pits and supply points in the State of Colorado, to road and building construction jobs within a radius of 50 miles of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties, but including the right to serve in Boulder County for the Denver-Boulder Toll Road, only; and coal from mines in the northern Colorado coal fields to Denver; to Valmont Plant of the Public Service Company near Boulder, Colorado; to plants of Kuner-Empson Company and Great Western Sugar Company within a radius of fifty (50) miles of Denver and to the Rocky Mountain Arsenal and the Denver Federal Center, near Denver, Colorado.

and by the instant application seeks authority to transfer said Permit No. B-4441 to Burleson Loader & Excavating Co., Inc.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at 532 State Services Building, Denver, Colorado, October 8, 1965, and at the conclusion of the evidence, the matter was taken under advisement.

Harold Raizen testified that he is a certified public accountant and that he does the accounting work for Don Burleson's

operation. Don Burleson is now the owner of Permit No. B-4441. Don Burleson has formed a corporation, "Burleson Loader & Excavating Co., Inc.", and wishes to transfer Permit No. B-4441 to this corporation. Don Burleson is the major stockholder in the new corporation. The corporation has a net financial worth in excess of $100,000 and all debts of the operation conducted in Burleson's individual name have been paid. Burleson will continue to conduct operations under this authority under the corporate name and in the same manner as he has conducted operations when the authority was held in his individual capacity.

No one appeared in opposition to the proposed transfer.

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

F I N D I N G S

THE COMMISSION FINDS:

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

O R D E R

THE COMMISSION ORDERS:

That Don W. Burleson, Denver, Colorado, be, and hereby is authorized to transfer all right, title and interest in and to Permit No. B-4441 to Burleson Loader & Excavating Co., Inc., Denver, 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 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 15th day of October, 1965.

et

(Decision No. 66072)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF ARTHUR NIELSEN, 6077 FLOWER STREET, ARVADA, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 21524-PP

October 15, 1965

Appearances: Arthur Nielsen, Arvada, Colorado, pro se.

S T A T E M E N T

BY THE COMMISSION:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to home and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points; transportation of road-surfacing materials 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 532 State Services Building, Denver, Colorado, October 8, 1965, and at the

conclusion of the evidence, the matter was taken under advisement.

Arthur Nielsen testified that he has had over thirty years' experience in truck operation, that he is the owner of a Ford dump truck which he plans to utilize to render service, that he has a net financial worth in excess of $10,000, and that if the authority sought herein is granted, he will enter into contracts with various contractors and other individuals for the rendition of services. Temporary authority was issued to the applicant on September 24, 1965 and applicant has been operating under said temporary authority since that time.

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:

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 Arthur Nielsen, Arvada, 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 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 October, 1965.

ls

(Decision No. 66073)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF W. A. SMITH, 6560 TELLER STREET, ARVADA, COLORADO, FOR AUTHORITY TO EXTEND OPERATIONS UNDER PERMIT NO. B-2460 TO INCLUDE TRANSPORTATION OF BRICK, CINDER BLOCK, AND CEMENT BLOCK, BETWEEN POINTS WITHIN A 150 MILE RADIUS OF DENVER, COLORADO, FOR DENVER BRICK & PIPE CO., BUILDERS BLOCK CO., AND ACE BLOCK CO.	APPLICATION NO. 21493-PP EXTENSION

October 15, 1965

Appearances: W. A. Smith, Arvada, Colorado, pro se.

S T A T E M E N T

BY THE COMMISSION:

W. A. Smith, Arvada, Colorado, is the owner and operator of Permit No. B-2460, authorizing:

> Transportation of sand, gravel and other road-surfacing materials from pits and supply points in the State of Colorado to construction jobs within a 50 mile radius of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties, and coal from mines in the northern Colorado coal fields to Denver. Decision No. 35542 Extended to: Transportation of brick, cinder blocks, cement blocks, and rock lath, between points within a radius of ten (10) miles of Denver, Colorado. Decision No. 47841 Extended to: Include the transportation, in dump trucks only, of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points. Decision No. 52428 Extended to: Include the right to transport brick, cinder block, cement block, rock lath, and clay, within a fifty-mile radius of Denver, Colorado, for Denver Brick and Pipe Company only.

By the instant application, applicant seeks authority to extend operations under said Permit B-2460 to include the right to transport brick, cinder block, and cement block, between points within a 150-mile radius of Denver, Colorado, for Denver Brick & Pipe Co., Builders Block Co., and Ace Block Company.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at 532 State Services Building, Denver, Colorado, October 8, 1965, and at the conclusion of the evidence, the matter was taken under advisement.

W. A. Smith testified that he is now the owner of Permit No. B-2460. This authority, in addition to authorizing the transportation of sand, gravel and similar items, also authorizes W. A. Smith to transport brick, cinder block, cement block, rock lath, and clay within a fifty-mile radius of Denver, Colorado for Denver Brick and Pipe Company only. Smith stated that he now wished to extend this authority to authorize him to transport brick, cinder block and cement block within a 150-mile radius of Denver, Colorado, for Denver Brick and Pipe Company and Builders Block Company only. He stated he wished to delete from his application the authority originally sought to render this service to the Ace Block Company, and such request for deletion was granted by the presiding Commissioner. Smith testified that he rendered specialized service to brick and block manufacturers in that he used special trucks and furnished loading and unloading machines. Such loading and unloading machines are not customerily furnished by common carriers and are necessary for the rendition of this specialized service. A representative of Builders Block Company testified in support of the application and Smith filed with the Commission a letter from the Denver Brick and Pipe Company supporting the application. Smith further testified that he has been operating a truck for over forty years, and has been operating under authority granted by this Commission for a long time. He is familiar with the rules and regulations of the Commission and

will comply therewith if the extended authority sought herein is granted.

No one appeared in opposition to the granting of the proposed extension.

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

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

F I N D I N G S

THE COMMISSION FINDS:

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

O R D E R

THE COMMISSION ORDERS:

That W. A. Smith, Arvada, Colorado, be, and hereby is, authorized to extend operations under Permit No. B-2460, to include the right to transport brick, cinder block, and cement block, between points within a 150-mile radius of Denver, Colorado, for Denver Brick and Pipe Company and Builders Block Company, only, 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 October, 1965.

ls

Decision No. 66074

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
CONCUT-TRUELOCK INC.)
5301 Monroe Street)
Denver, Colorado 80216)
)
)
)

AUTHORITY NO. M 15747

CASE NO. 2617 Ins.

October 14, 1965

S T A T E M E N T

By the Commission:

On October 7, 1965, 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 14th day of October, 1965

(Decision No. 66075)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF SOUTHEAST COLORADO POWER ASSOCIATION, A COLORADO CORPORATION, 901 WEST THIRD STREET, LA JUNTA, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO FURNISH ELECTRICAL FACILITIES, PLANTS, OR SYSTEMS, OR EXTENSIONS THEREOF, TO FURNISH ELECTRICAL SERVICE FOR LIGHT, HEAT, POWER, AND OTHER PURPOSES, TO PERSONS, CUSTOMERS, CONSUMERS, AND ORGANIZATIONS LIVING AND LOCATED IN THE COUNTIES OF BACA, CHEYENNE, EL PASO, KIOWA, LAS ANIMAS, AND LINCOLN, STATE OF COLORADO.	APPLICATION NO. 19814
IN THE MATTER OF THE APPLICATION OF SOUTHEAST COLORADO POWER ASSOCIATION, A COLORADO CORPORATION, 901 WEST THIRD STREET, LA JUNTA, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO FURNISH ELECTRIC SERVICE FOR LIGHT, HEAT, POWER AND OTHER PURPOSES, IN THE TERRITORY DESCRIBED, LOCATED IN BACA, BENT, PROWERS, OTERO, CHEYENNE, KIOWA, LAS ANIMAS, PUEBLO, EL PASO, CROWLEY, AND LINCOLN COUNTIES, STATE OF COLORADO.	APPLICATION NO. 19362
SOUTHEAST COLORADO POWER ASSOCIATION, a Colorado Corporation, 901 West Third Street, LaJunta, Colorado, Complainant, vs. SOUTHERN COLORADO POWER COMPANY, Pueblo, Colorado; CITY OF LAMAR, Lamar, Colorado; TOWN OF HOLLY, Holly, Colorado; CITY OF LA JUNTA, La Junta, Colorado; WHEATLAND ELECTRIC ASSOCIATION, Scott City, Kansas; PIONEER ELECTRIC ASSOCIATION, Ulysses, Kansas; TRI-COUNTY ELECTRIC COOP, Hooker, Oklahoma; Respondents,	CASE NO. 5253

IN THE MATTER OF THE APPLICATION OF THE CITY OF LA JUNTA, A MUNICIPAL CORPORATION UNDER THE LAWS OF THE STATE OF COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO RENDER ELECTRIC SERVICE IN CERTAIN AREAS OF OTERO COUNTY, COLORADO.	APPLICATION NO. 20090
IN THE MATTER OF THE APPLICATION OF THE CITY OF LAMAR, COLORADO, A MUNICIPAL CORPORATION UNDER THE LAWS OF THE STATE OF COLORADO, FOR AN ORDER AUTHORIZING EXTENSION OF ITS PRESENT CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.	APPLICATION NO. 20118-EXTENSION
IN THE MATTER OF THE APPLICATION OF THE TOWN OF SPRINGFIELD, COLORADO, A MUNICIPAL CORPORATION LOCATED AT SPRINGFIELD, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY, TO FURNISH ELECTRIC SERVICE FOR LIGHT, HEAT, POWER, AND OTHER PURPOSES, IN TERRITORY LOCATED IN BACA COUNTY, STATE OF COLORADO.	APPLICATION NO. 20188-AMENDED
IN THE MATTER OF THE APPLICATION OF THE CITY OF LAS ANIMAS, LAS ANIMAS, COLORADO, A MUNICIPAL CORPORATION, UNDER THE LAWS OF THE STATE OF COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO RENDER ELECTRIC SERVICE IN CERTAIN AREAS IN BENT COUNTY, COLORADO.	APPLICATION NO. 20267

October 18, 1965

Appearances: Carl Shinn, Esq., Lamar, Colorado, and
John P. Thompson, Esq., Denver, Colorado, for Southeast Colorado Power Association;
Christian K. Johnson, Esq., Lamar, Colorado, and
John R. Barry, Esq., Denver, Colorado, for the City of Lamar;
John R. Stewart, Esq., La Junta, Colorado, and
John R. Barry, Esq., Denver, Colorado, for the City of La Junta;
John R. Barry, Esq., Denver, Colorado, for the Town of Holly;
Fred E. Sisk, Esq., Las Animas, Colorado, and
Joseph F. Nigro, Esq., Denver, Colorado, for the City of Las Animas;

Harry S. Petersen, Esq., Pueblo Colorado, for Western Power and Gas Company;
Howard M. Schmidt, Esq., Springfield, Colorado, for the Town of Springfield;
Robert T. James, Esq., Colorado Springs, Colorado, for Mountain View Electric Association;
J. M. McNulty, Denver, Colorado,
E. R. Thompson, Denver, Colorado, and
Paul M. Brown, Denver, Colorado, for the Staff of the Commission.

STATEMENT AND FINDINGS

BY THE COMMISSION:

On September 18, 1962, Southeast Colorado Power Association (Southeast) filed an Application (No. 19362) for a certificate of public convenience and necessity to furnish electric service for light, heat, power and other purposes within the territory described in its application. The location of the territory generally covers all or portions of Baca, Bent, Prowers, Otero, Cheyenne, Kiowa, Las Animas, Pueblo, El Paso, Crowley and Lincoln Counties in the State of Colorado.

On October 18, 1962, Southeast filed a Complaint against other utilities operating in or near the territory sought in Application No. 19362.

On June 3, 1963, Southeast filed another Application (No. 19814) for a certificate of public convenience and necessity to provide electrical service and facilities in all or parts of the Counties of Baca, Cheyenne, El Paso, Kiowa, Las Animas and Lincoln, in the State of Colorado. This application was set for hearing on July 19, 1964. This application is similar to the initial Application (No. 19362) except that the territory covered is less extensive but is included within the territory sought in the initial application and was filed for purposes of convenience to the applicant. The principle difference between the two applications is that an area extending generally along the Arkansas River from Pueblo County to the Kansas

State Line is being served by utilities in addition to and other than the applicant. The last filed application eliminated this strip and sought certification of the remaining areas to the north and to the south on the theory that there was no conflict with other utilities in these northerly and southerly sections and an earlier decision relative to them might be obtained from the Commission.

The matter was called for hearing, after due notice to all interested parties, at the designated time and place. After preliminary matters and discussions, the attorney for protestant City of Lamar moved to vacate the hearing and have the entire matter, that is, both Applications and the Complaint of Southeast, set down for hearing at one time. The motion was joined in by the Town of Springfield, the Town of Holly and the City of La Junta. After arguments both for and against the proposed vacation and joinder, the Commission sustained the motion by protestants and set the entire matter for hearing beginning on September 16, 1963. These dates were vacated at the request of the parties and the proceedings were re-set for November 12, 13, and 14, 1963. These dates were later vacated at the request of parties of interest and re-set for December 16, 17, and 18, 1963, in the Hearing Room of the Commission. On December 16, 1963, hearings began on Applications No. 19814, 19362, and Case No. 5253. Further hearing was held January 20-24, 1964, April 22 and 23, and concluded April 24, 1964. The two applications and the complaint case were consolidated for this hearing.

There are several parties involved in this proceeding and hereafter they will sometimes be referred to as follows:

Party	Designation
Southeast Colorado Power Association	Southeast
City of La Junta	La Junta
City of Lamar	Lamar
Town of Springfield	Springfield

Party	Designation
City of Las Animas	Las Animas
Southern Colorado Power Company, a Division of Western Power and Gas Company	Power Company
Town of Holly	Holly

Applications No. 20090, No. 20118-Extension and No. 20188-Amended, filed respectively by La Junta, Lamar and Springfield, were set for hearing beginning January 20, 1964, in the Hearing Room of the Commission, after due notice to interested parties, and were called up at that time. Las Animas sought permission to withdraw its Answer to the Complaint in Case No. 5253 and to file an application for a certificate of public convenience and necessity. There being no objections from interested parties the withdrawal and filing was allowed, and No. 20267 was assigned to the application of Las Animas.

All applications are generally for certificates covering different areas, sometimes overlapping. The testimony and exhibits are all inter-related with Applications No. 19814, 19362 and Case No. 5253, and all applications and the case were consolidated for hearing, and were heard on a joint record. At appropriate times during the conduct of the hearing, each application was called in turn. It was recognized by all parties appearing in the consolidated proceeding that testimony and exhibits were either in support of individual applications or in protest to the applications of other parties, and that the Commission should consider the testimony and exhibits introduced as being applicable for both purposes. The protest of Power Company also extends to Application No. 20090 of La Junta.

Briefs were ordered to be filed. On July 24, 1964, Southeast filed its opening brief. On September 10, 1964, Answer Briefs were filed by Power Company, Holly, Lamar and La Junta. A Reply Brief by Southeast was filed September 25, 1964, and on the same date an Answer Brief of Power Company to La Junta's Answer Brief. On October 13, 1964, a Reply Brief of Power Company to the Reply Brief of South-

east and a Reply Brief of Holly, Lamar, and La Junta to the Opening Brief of Southeast were filed.

To summarize, Southeast sponsored Applications No. 19184, No. 19362 and Case No. 5253. La Junta sponsored Application No. 20090, Lamar sponsored Application No. 20118-Extension, Springfield sponsored Application No. 20188-Amended, and Las Animas sponsored Application No. 20267.

Ten days were devoted by the Commission to the hearing of these matters. The Reporter's transcript, as certified to the Commission, consisted of 1,033 pages. Eighty-six exhibits were admitted in evidence and testimony was given by twenty-nine witnesses.

STATISTICAL AND HISTORICAL DATA

SOUTHEAST

Southeast is a rural electric cooperative association, organized and existing under and by virtue of the laws of the State of Colorado, with its principal office and place of business located in the City of La Junta, County of Otero, State of Colorado. Southeast contends it has been a public utility since the transfer of properties to Southeast from Highland Utilities in September of 1944. This transfer was approved by this Commission in Decision No. 22666, dated September 1, 1944. A transfer of the electric public utility at Kim, Colorado, owned by a Mr. Dabney, was made to Southeast and approved by this Commission in Decision No. 39571, dated November 26, 1952. A certificate of public convenience and necessity was issued by this Commission in Decision No. 57811, dated January 3, 1962, to extend Southeast's facilities north of the Town of Fowler. In any event, Southeast became a public utility in 1961 when the Public Utilities Act was amended by the Colorado State Legislature.

The Articles of Incorporation of Southeast, as amended to the date of the hearing, are on file with this Commission, as are its

rates, rules and regulations.

Southeast first rendered service to its member customers in 1938, serving then only in portions of Bent and Prowers Counties, Colorado. Since that time the distribution system has been extended southerly, westerly and northerly so that now it provides service to consumers and members in all or in part of the eleven counties above mentioned.

Southeast owns no generating facilities. Its power and energy is supplied by Arkansas Valley G. & T., Inc. (Ark-Valley), a generating and transmission cooperative of which Southeast is a member. Through contractual arrangements (Exhibit No. 7) and through interconnections, power and energy is delivered to Southeast by Lamar and also by Power Company. Adequate power has been available to the present time. It is the responsibility of Ark-Valley to furnish the power requirements of Southeast. Testimony indicated Ark-Valley had given notice of its intention to terminate its power purchases from the present power supplier, effective early in 1965, after which time Ark-Valley would obtain its power supply from Colorado-Ute, another generating and transmission cooperative operating principally on the Western Slope of the State of Colorado. Southeast operates 4,315 miles of distribution line and 221 miles of transmission line. According to Exhibit No. 3, its investment in plant at original cost is $9,553,000 and its gross operating revenue for the twelve months' period ended September 30, 1963, was $1,382,000. The net margin for such period was $199,200 and the accumulated margins for this and prior years was a deficit amount of $335,200. This amount has been steadily reduced from a maximum of $765,000 in 1958. Its ratio of long term debt to total capitalization is 104.28%. Thus the members have no equity in the cooperative at the present time. It has 38 full-time and 4 part-time employees. It is a borrower from the Rural Electrification Administration of the United States Government and obtains

substantially all of its construction moneys from this source. Of the approximately 6,700 customers served by Southeast, 6,200 are members of the Association and 500 are non-members. The customer density per mile of distribution line is only 1.6. The low customer density is due to the character of the area served. It is an area of great distances and little population.

Information on future load growth is not available from exhibits or testimony. On cross-examination, a witness for Southeast stated that the maximum demand to date on the system occurred in July 1963 and was in excess of 11,000 kilowatts. From applicant's Exhibit No. 3, kilowatt hour sales have shown a steady growth, illustrated as follows:

Year	Total KWH (Millions)	Heavy Commercial and irrigation KWH (Millions)	All other Consumers KWH (Millions)	All other Consumers KWH/Customer/Mo.
1955	21.0	6.4	14.6	206
1960	29.0	8.6	20.4	289
1961	30.3	8.3	22.1	311
1962	35.5	10.8	24.7	375

In the seven year period total sales have increased 69% or 9.9% per year average. In the category "All other Customers," which would appear to include primarily residential and small commercial users, the Kwh per customer per month has increased by 169 Kwh or 82%, approximately 11.7% per year average.

The rates charged by Lamar and Power Company in the residence and farm and home area, compared to those of Southeast, for uses up to 1,000 Kwh per month, are up to 56% lower. In the area of power use for irrigation, the rates of Lamar and Power Company, for uses up to 1,000 Kwh per horsepower per season, are up to 46% lower.

Southeast is a distributing company only. That is, its power requirements are generated by others and purchased by Southeast. Its investment per customer is $1,426. Lamar and Power Company are

generating and distributing companies and their investment per customer is, respectively, $1,198 and $568.

Some comment should be made on the deficit margin position of Southeast. Having been in business since 1938 or approximately 27 years, it should now be in a sound financial position. Perhaps Southeast extended its system too rapidly or extended into areas which were too thin to be self-supporting. Its customer density is still thin being, as mentioned above, only 1.6 per mile. Domestic customers receiving electric service for the first time are cautious about the amount of their use and require extensive education to increase their use and thus help spread the high fixed costs inherent in the electric distribution business. Southeast's Certified Public Accountant witness shed further light on deficit margins. In addition to operating margin losses there were substantial non-operating margin losses. To stimulate average use per customer, a power use program, as well as electric appliance sales and electric appliance service programs, were adopted. These were losing departments, but the then management and the Board of Directors, felt the losses were justified. These operations have been discontinued and such discontinuance, together with a tightening of controls on operating expenses, have combined to produce net positive operating margins and a very substantial reduction in non-operating losses.

In Case No. 5253, being a Complaint by Southeast against the various utility companies operating within or adjacent to the territory sought by Southeast, the City of Las Animas, Mountain View Electric Association, San Isabel Electric Association and K-C Electric Association were, by stipulation, eliminated, as respondents to the Complaint. The Complaint was filed not so much because Southeast felt the respondent utilities had actually committed actions against which complaint needed to be made but because of their interpretation of the Public Utilities Act as amended by the State

Lesiglature in 1961. In Applicant's view, the complaint was filed for the primary purpose of placing before the Commission information relative to the operations of the several respondent utilities within the area sought by Southeast for certification, to assist the Commission in its determination, as specified in the Act, of service areas or conditions under which electric service should be rendered, and to invoke the jurisdiction of the Commission.

LA JUNTA

On October 7, 1963, La Junta filed an Application (No. 20090) with the Commission seeking a certificate of public convenience and necessity in a specified area containing approximately 37 sections of land contiguous to the City of La Junta lying south of the Arkansas River, and in limited non-contiguous areas owned by the City, generally lying to the north of the Arkansas River, which non-contiguous areas are utilized by the City in the conduct of its municipal affairs, and further requested an order finding there is no need for any additional electric service by any other utility in the area covered in its application.

La Junta is a municipal corporation of the second class, organized and existing under the laws of the State of Colorado and is the County seat of Otero County. It acquired its electric system in 1940 at which time it began serving the City's inhabitants. Since that time it has substantially increased its investment in plant, number of customers served and area of service. In addition to its service within the City, it supplies service to the parcels it controls beyond the City Limits and to a few customers beyond the City Limits. La Junta is not at the present time a public utility subject to the jurisdiction of this Commission. The City provides its own generation from internal combustion engine generators with an installed capability of 14,120 kilowatts. The engines are generally fueled by natural gas purchased on an interruptible basis, and diesel

fuel is utilized when the natural gas supply is interrupted. The system peak in 1962 was approximately 5,900 kilowatts. As of December 1963, the investment in its electric generation and distribution system was $3,844,000. As of the same date, service was supplied through 3,253 meters. When financing of new construction is required it is done through the sale of Revenue Bonds. Bonded indebtedness as of December 1963 amounted to $1,766,000. Total revenue for the year was $565,760 and gross profit was $251,900. Annual interest charges against bonded debt should not exceed $75,000.

LAMAR

On October 29, 1963, Lamar filed an Application (No. 20118-Extension) requesting an extension of its existing certificate of public convenience and necessity, and an order finding that there is no need for additional electric service within the area now certificated to it and in the additional area sought in its application. Lamar is a municipal corporation organized under the laws of the State of Colorado and is the County seat of Prowers County. It is a public utility with respect to its operation beyond its City limits. It holds a certificate of public convenience and necessity issued by this Commission in Decision No. 21392, dated September 27, 1943. This decision not only granted Lamar an area extension, but also incorporated therein the areas previously certificated to Lamar.

The area claimed is roughly in the shape of a "T", with the bar extending east and west a distance of approximately 45 miles and the stem extending north and south through the City of Lamar approximately 23 miles. This area includes 398 sections of land. In its application, the City requests an extension of this boundary to include an additional 104 sections of land.

Lamar was granted its first certificate of public convenience and necessity by this Commission in April of 1919, when it acquired its electric operating system from Intermountain Railway Light & Power

Company. It has been in continuous operation since that time serving residents within the corporate limits of the City of Lamar, as well as rural customers. Lamar provides its own generation and at the present time has installed capacity of 14,645 kva with a demonstrated capability at unity power factor of 13,500 kilowatts. The prime movers are steam turbines with boilers fired by natural gas or oil, or both. The city has a small amount of transmission line and a substantial amount of distribution line supplying its customers both within and beyond the City limits. In December 1963, the total investment in its generation, transmission and distribution facilities was $3,382,400. As of the same date, Lamar supplied electric service to 2,823 customers within the City limits and to an additional 710 customers beyond the City limits. Its investment per customer is $1,198. Wholesale power is furnished by Lamar to the Towns of Holly and Granada.

Its financing of new construction, when required, is done through the sale of revenue bonds. The bonded indebtedness as of December 31, 1963, totaled $1,250,000. Its total operating revenue for the year 1963 was $736,164, and its net operating income prior to charges for bond interest is $350,500. The annual interest charges for bonds currently outstanding is approximately $39,725.

SPRINGFIELD

On December 16, 1963, Springfield filed an Application (No. 20188) and on January 7, 1964, filed an amended application. The application prayed that Applicant be granted a certificate of public convenience and necessity to furnish electrical energy for light, heat and other purposes within an area of somewhat in excess of two sections of land beyond the Town limits. The Town of Springfield is a municipal corporation organized under the laws of the State of Colorado and is the County seat of Baca County. It is not at the present time a public utility subject to the jurisdiction of this

Commission. It furnishes electric service to 740 customers within the Town limits and to 13 customers outside the Town limits. It obtains its power supply from its own electric generating plant which has a capacity of 1992 kilowatts, adequate to supply the Town's peak requirements of the preceding year of 880 kilowatts. The electric plant and distribution system is financed through revenue bonds. Bonds outstanding are in the amount of $345,000. For the twelve months ending May 31, 1963, its operating revenue was $133,727 and it had an operating income of $51,706 after payment of bond interest.

LAS ANIMAS

On January 22, 1964, Las Animas filed an Application (No. 20267), which application appeared to be a counter application to Application No. 19814 of Southeast. As above mentioned, during the course of the hearing, Las Animas withdrew its complaint and was granted authority to file said Application No. 20267 which sought a certificate of public convenience and necessity to render service exclusively within an area described in such application. It further sought authority to continue service to customers it served beyond the boundary set forth in its Application and for Southeast to be authorized to continue rendering service to its existing customers within the boundaries of the application, but without the right to serve successor customers and without the right to expand service within said territory. It also requested an order of the Commission for exchange, by mutual agreement, of customers and facilities that might be affected.

Las Animas is a municipal corporation, organized under the laws of the State of Colorado, is a City of the second class and is the County seat of Bent County. It currently holds a certificate of public convenience and necessity from this Commission obtained by a transfer from the Western Public Service Company to Las Animas, which transfer was approved by this Commission on November 13, 1941 in

in Decision No. 17875. It is a public utility with respect to its operations beyond its corporate limits. It now requests certification of a modified area contiguous to the municipal boundaries of Las Animas which includes approximately 21 sections of land. It has been in continuous operation since 1941 supplying electric service to inhabitants of the City and the surrounding territory. Las Animas has 3,000 kilowatts of diesel engine driven capacity and has additional kilowatts of capacity available through an interconnection with a "power pool." According to the annual report filed with this Commission for the calendar year 1963, Las Animas supplies service to 1,604 customers, 339 of whom were located in the territory beyond and adjacent to the City limits. The value of its electric generating plant and electric distribution system was stated to be about 1-1/3 million dollars and it was further stated that the City had no outstanding bonded indebtedness.

WESTERN POWER & GAS COMPANY

Southern Colorado Power Company, a division of Western Power and Gas Company, appeared as a Protestant in Applications No. 19814 and No. 19362, a Respondent in Case No. 5253, all filed by Southeast Colorado Power Association, and also as a Protestant in Application No. 20090, of La Junta. It did not request certification for a specific area. Power Company is a public utility subject to the jurisdiction of this Commission and it, or its predecessor companies, since 1898, has supplied electricity for lighting, heat, power and other uses along the Arkansas River, in the Counties of Pueblo, Otero, Crowley and Bent. It also serves in Teller, Fremont and Custer Counties. It is a completely integrated electric operation and has generating stations at Skaguay, Canon City, Pueblo and Rocky Ford. It is also interconnected with other suppliers and power pools. The interconnections and generating plants are integrated through company-owned transmission lines. Its distribution lines are scattered through

the area to supply electric service to ultimate customers.

Power Company is a Delaware corporation qualified to do business in the State of Colorado, and its Articles of Incorporation, as amended, are on file with the Commission. It holds numerous certificates of public convenience and necessity to exercise franchise rights in communities served within its territory. In the past, certificates were held to exercise franchise rights which had been granted by some of the counties in which it served. These certificates, in several instances, authorized the furnishing of service in areas contiguous to the municipalities granting franchises and along its distribution line furnishing service to the communities.

The total average number of customers served by the system as shown in its annual report to this Commission for the year 1963 is 50,764.

The area of conflict between Power Company and Southeast and the City of La Junta is located within Pueblo, Crowley and Otero Counties. In this area, Power Company serves 7,665 customers, of whom 2,878 are classified by the Company as rural. In the area of conflict, the investment at original cost of all its facilities is $6,266,615, which amount does not include a pro rata share of generating plants. If such a pro rata share were added to investment dedicated to this area allocated on a basis of kilowatt hour sales within the conflict area to the Kwh sales in its total service area, the total investment at original cost would be $7,555,000. Its investment per customer at original cost is $568. For the total system, the undepreciated plant account at December 31, 1963, was $28,823,566. Its total annual income is $9,638,795. The Company employs 390 people. It is financed by the sale of common stock, preferred stock, bonds and short-term notes.

AREAS SOUGHT FOR CERTIFICATION

SOUTHEAST

Five public witnesses appeared for Southeast. Their service locations and delivery points were near the Towns of Holly, Hartman, and Lamar. They generally testified as to the adequacy of the service and the use of such service for needs such as water pumping for domestic purposes, for land irrigation and livestock watering, home heating and miscellaneous home uses such as lighting, cooking and refrigeration. Some of the witnesses have been receiving this service since 1938, while others began taking their service in later years.

The reasons given by Southeast for its filing of the applications and complaint here under consideration were threefold: (1) the Rural Electrification Administration now requires a certificate of public convenience and necessity before it will advance funds to borrowers; (2) long range system planning can be more efficiently accomplished with a defined exclusive service area; and (3) future conflicts and facility duplication can be avoided if service areas are defined.

Applicant introduced a total of twenty-one exhibits. These exhibits covered information relative to its organization and finances, a designation of areas considered by Southeast to be areas of conflict, a judgment of the District Court of Bent County, No. 2274, of June 24, 1944, field notes concerning and pictures of the facilities of Southeast and others, maps showing the total areas sought with metes and bounds description thereof, including an indication of certificates for service areas held by other public utilities in the area within which conflicts may exist. Exhibit No. 8 is a map prepared by Southeast showing the exterior boundaries sought by it and also the location of its distribution lines throughout the area. There has been added thereon by Power Company, La Junta, Las Animas, Lamar, Granada, Holly and Springfield, their respective distribution lines

extending beyond the corporate limits of the cities and towns served.

Exhibit No. 2 is a map of the same size and scale setting forth, generally, the territory believed by Southeast to be the area of conflict and also its interpretation of areas heretofore certificated by the Commission to the other utilities serving within the area. No certificated area is shown thereon for Power Company since it is Southeast's contention that the only certificates held by Power Company are to exercise franchise rights in incorporated cities and towns. The total areas included within the exterior boundary sought by Southeast amount to approximately 11,500 sections of land. The area sought is substantially rural, but does include service to the towns or communities of Eads, Two Buttes, Vilas, Pritchett, Walsh and Kim. Other towns and cities located within the area sought by Southeast are generally larger in size than those above-named and are served by Power Company, La Junta, Lamar, Las Animas, Holly and Springfield, protestants, or counter applicants, or both, to the applications of Southeast.

Exhibits No. 5 and 5A are detail maps on a much larger scale than the above-mentioned exhibits, covering only the areas of conflict, on which are located the distribution facilities of Southeast compiled from its own records and the distribution facilities of other utilities from information furnished by them to Southeast. The direct testimony by Southeast indicates that there are exception areas served by others within the exterior boundaries described by metes and bounds in Exhibit No. 6, wherein a certificate is not sought by Southeast in this application. According to the testimony of the manager of Southeast, the exception areas in which a certificate is not desired are, 1) Municipalities where a franchise is currently held by other utilities, 2) Municipalities operating their own municipal electric utility, 3) Municipally-owned property located beyond corporate limits and currently being served by said municipality, and 4) no

discontinuance by other utilities of any service now being supplied by them.

In his opening remarks, attorney for Applicant stated Southeast had been a public utility since 1944 when it acquired the facilities of Highland Utilities Company serving the Towns of Eads, Pritchett, Two Buttes, Vilas, and others. The statement was further made, "it having been a public utility these many years, the 1961 law, which has been of interest in most REA cases, is only a passing interest here, at least we will so argue." Further reference was made, "That it (Southeast) has been listed by the Commission as a public utility for the special tax on public utilities since that tax originated a number of years ago . . . " The "Special Tax" appears to be the fee referred to in CRS 115-2-11. The following sections of the statute provide the basis of establishing the fee, the calculation of the fee, collection of fees and the disposition of fees collected. CRS 115-2-12 reads as follows:

> "Report of utilities to department of revenue. Each public utility required to pay such fee shall, on or before the fifteenth day of May in each year, file a return with the department of revenue, on such forms as shall be prescribed by the director of revenue and the public utilities commission, setting forth the gross operating revenues of such public utility from intrastate utility business only transacted in the State of Colorado during the preceding calendar year. Such return shall be executed and verified by two of the executive officers of the utility making the return, and shall contain or be verified by a written declaration that it is made under the penalties of perjury, and any officer who shall knowingly and willfully make and sign a false return shall be deemed guilty of perjury.
>
> "The first return hereunder shall set forth gross operating revenues derived from intrastate business during the calendar year 1954, and shall be made and filed on or before May 15, 1955. The first quarterly installment of fees due on the 1955-56 fiscal appropriation shall be made on or before July 15, 1955, and quarterly thereafter as provided in section 115-2-14."

From the files of the Commission, the annual reports of Southeast show

total operating revenues for the years 1954 to 1963 varying in amounts from $811,426 in 1954 to $1,094,939 in 1960. For this same period, operating revenue reported to the Revenue Department of the State of Colorado for the purpose of establishing the fee to be paid by Southeast varied from $127,779 in 1954 to $190,023 in 1960. For the years 1961, 1962 and 1963, the amounts reported to this Commission and to the Revenue Department are substantially identical, whereas in prior years the amounts reported to the Revenue Department are substantially less. It may be noted in passing that the amendment to the Public Utilities Act declaring rural electric cooperatives to be public utilities was passed and signed into law in 1961. Further illustrations of the position of Southeast in regard to the jurisdiction of this Commission were pointed out in the testimony of other utilities protesting the application.

Cross-examination revealed membership in Southeast has not been a prerequisite to obtaining electric service. This has been true in the experience of witnesses dating back to 1947. An applicant for service is invited to become a member, but if he chooses not to, he is nevertheless served. There were no different requirements for service even though an applicant lived within the recognized area certificated to the City of Lamar. Southeast proposes the continuance of the non-membership requirement regardless of the geographic location of the customer, unless the Commission instructs Southeast otherwise. In an area near La Junta, Power Company had begun construction of a distribution line to serve customers. Upon contact by Southeast, Power Company sold the materials it had placed in the ground because the people to be served were alleged to have become members of Southeast and as such Southeast was entitled to serve them. Witness for Power Company stated, "I happened to make a grave mistake in taking their word for it." Whether these people actually became members is not known, but Power Company withdrew from offering service on the

basis that members of Southeast were to be served. Power Company submitted exhibits which were copies from the tariffs of Southeast heretofore filed with this Commission apparently for the purpose of demonstrating Southeast was not submitting totally to the jurisdiction of the Commission. Exhibit A is a title page of Southeast Tariff, Colorado PUC #1, effective October 26, 1944, and contains the following statement:

> "Apply to the following territory; that area and/or territory which was served by Highland in Baca, and Kiowa Counties, Colorado, namely, Eads in Kiowa County, Springfield, Pritchett, Vilas, Walsh, and Two Buttes and territory between in Baca County in Colorado."

Exhibit B is the title sheet of Southeast's Tariff, Colorado PUC No. 2, effective July 10, 1954, and covers rates for service to consumers of Southeast located in areas acquired from other utilities. Exhibits C and D are tariff sheets, effective July 10, 1954, revised effective June 23, 1955, which require membership in Southeast as a prerequisite to service, except those customers in acquired territories. Exhibit E is First Revised Title page of Southeast's Tariff, Colorado PUC No. 2, effective January 26, 1964, and contains no restrictions as to customers for which rates published therein are applicable.

Lamar, by its testimony, contended that Southeast was serving not only members, but also non-members in Lamar's certificated service area.

Southeast, by its conduct, did not behave like a public utility. Its tariff filed with this Commission was applicable only for customers on acquired lines; it sought to supplant service proposed by other utilities because the prospective customers were members of Southeast. It did not pay the fee required under Colorado Revised Statutes 1953, 115-2-11, 16 on the full amount of its gross revenues until 1961. Its Articles of Incorporation, as amended in 1945, provided in part in Article 3, Paragraph 1:

> "- - -and, on lines purchased from a public utility corporation, to - - -, acquire and accumulate electric energy for its members and for non-member consumers, and to - - - furnish, sell and dispose of such electrical energy to its members and on lines purchased from a public utility corporation to - - - sell and dispose of electric energy to its members and to non-member consumers - - -."

At the annual meeting of member stockholders held February 22, 1964, the above article was amended to read in part:

> "- - -to furnish, sell and dispose of electric energy to its members and to the public indiscriminately, thereby acting as a public utility under the laws of the state of Colorado - - - ."

We find Southeast was a public utility only as to acquired properties from 1945 to April 22, 1961, and a public utility as to its entire operation thereafter. As of April 22, 1961, the legislature of the State of Colorado declared rural electric cooperatives to be public utilities and subject to the jurisdiction of the Commission. Prior to this time, when a cooperative acquired a theretofore operating public utility which had been subject to Commission jurisdiction, jurisdiction was retained as to the acquisition, but the Commission was powerless to control any other phase of the activity of the cooperative.

The cooperatives were within the law even though they duplicated the facilities of existing public utilities. As a result in many instances, rural electric cooperatives constructed lines parallel and adjacent to existing public utility facilities. The converse is also true.

The Commission is now faced with the problem of resolving the conflicts and eliminating or minimizing the duplication of facilities which have arisen in past years. For many years, the Commission, after determining the requirements of public convenience and necessity, has issued area service certificates providing for the exclusive rendition of a specified utility service in such area.

In determining public convenience and necessity, many factors must be considered. In Decision No. 62653, of April 22, 1964, involving Poudre Valley Rural Electric Association, Inc., Public Service Company of Colorado, and Home Light and Power Company, we said:

> "In arriving at its determination in the instant case, the Commission has considered the factors of priority based on potential available service, priority based on actual service, the financial ability of each utility to serve, the general ability of each utility to serve, the management of each utility, the power supply of each utility, the geographical location of distribution lines, transmission lines, substations and other facilities, the location of natural and man-made barriers such as rivers, mountains, railroads, and highways, and the relationship of such barriers to service areas and the overall electric systems of the parties, the location of offices and service personnel, the number of customers located on lines, where such information was available, the type of service furnished to customers, the desirability of allowing for the full utilization of existing facilities, the necessity of maintaining the ability of each utility to serve in order to insure adequate future service to all segments of the public, the economic feasibility of future expansion under extension policies as limited by the cost of extensions, the desirability of defining boundaries of areas of service in terms readily convenient for field use, the desirability of eliminating future conflict between the parties hereto, the desirability of minimizing, or eliminating where possible, present conflict, the desirability of providing room for area service expansion, the necessity of maintaining revenues of each utility during any transition period that may be provided for herein, the availability and location of other utility services such as water, sewer, and gas, the desirability of recognizing and maintaining areas of community interest, the relationship of a utility to a municipality which it serves under a franchise and to the perimeter service around such a municipality, the relationship of a utility serving in areas outside but adjacent to a municipality to the municipal utility of such city, and the agreements between cities and utilities. All of these factors, as well as many others, have been considered, studied, and weighed in the light of the general criteria of public convenience and necessity and the public interest. The primary responsibility of the Commission is to the public to insure and provide adequate utility service at fair and reasonable costs. The Commission has a corollary or ancillary duty to the utilities involved to allow for and to provide reasonable rates and revenues in order that the financial integrity of such utilities be maintained and preserved, thus insuring adequate service to the public. In determining all of these matters in the instant cause, in the consideration of relevant factors, and in the application of the general criteria of public convenience and necessity

> and the public interest, the Commission has to the best of its ability been just, reasonable, and has given due regard to due process of law and to all the rights of the respective parties."

These are some of the factors to be considered by the Commission in determining public convenience and necessity. In the instant proceeding, we deem it necessary to grant certificates of public convenience and necessity to render electric service, all as specifically hereinafter provided.

POWER COMPANY - SOUTHEAST CONFLICT

There is a substantial concentration of electric customers along the course of the Arkansas River and it is along this river course where conflicts between Southeast and the other utilities exist. A physical duplication of electric facilities exists. In Pueblo, Crowley and Otero Counties the conflict is with Power Company and the intermingling of distribution lines is intense. It begins at Nepesta, on the west, and continues to La Junta on the east. Along this route Power Company holds franchises in the incorporated communities of Fowler, Olney Springs, Crowley, Ordway, Sugar City, Manzanola, Rocky Ford and Swink. Power Company also contends it has certificates for the Counties of Crowley, Otero and Pueblo.

The significant difference in the county certificates is that in the case of Crowley and Pueblo Counties the Orders authorize certificates to exercise the franchises and were for terms of 25 years running from July 5, 1938, and October 15, 1936, respectively. In Otero County, in addition to approving the right to exercise the franchise, the Order further provided:

> "That the public convenience and necessity require the distribution of electric energy by the applicant herein to the public residing in the rural districts of Otero County, Colorado, from its transmission lines, plant & system, and such extensions thereof as may be necessary and practicable for the purpose of serving said rural inhabitants of said County of Otero, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor."

All of these county franchises have expired by their own terms and for that matter are no longer required, as the Colorado Legislature in 1939 amended the statute on Eminent Domain to extend to all utilities qualified to conduct business in Colorado.

We find it to be in the public interest and that the public convenience and necessity requires the assignment of service areas to Power Company and Southeast and the Order will set forth the areas in which Power Company and Southeast will render service. In order to minimize present duplication of facilities and eliminate future duplication, provisions will be included herein for the sale of facilities which one utility may have in the certificated area of another. In Decision No. 64569, we said:

> "Having determined the specific service areas to be certificated to each utility in the instant proceeding, it is now necessary for the Commission to determine the ultimate disposition of facilities owned and customers served by one utility in the area certificated to the other utility. Grand Valley has facilities in the areas certificated to Public Service from which it is presently serving about 630 customers. Public Service, on the other hand, has facilities in the areas certificated to Grand Valley from which it is presently serving about 150 customers. Both companies have proposed solutions involving the "freezing" of such facilities. Under such proposals, each of said companies would continue to render electric service in the areas certificated to the other from existing facilities, with certain conditions applicable to service to new customers from such facilities. Such a solution, in our judgment, is not satisfactory. We deem it imperative that each company eventually have a completely exclusive general service area. The use of solutions involving the "freezing" of facilities has not been satisfactory in other areas. Such a solution tends to create further conflict and friction between the involved utilities. These problems are eliminated under the provisions contained in this Order. With such exclusive service areas, possibility of future duplication of facilities is completely eliminated, and existing duplication is almost completely eliminated. The only way to achieve such an end result is to enter buy and sell provisions in this Order. On the other hand, we are aware of the fact that buy and sell provisions to become effective immediately could have a severe engineering impact on existing facilities, could possibly impair the ability of at least one of the utilities herein

involved to render service, and could create a serious public relations problem for possibly both of the utilities. Considering all of the factors involved in this proceeding, we deem it proper and necessary to provide in this Order generally that the facilities of one utility in the service area certificated to the other be sold to the utility certificated to serve such area. Such order provisions, however, should not be effective immediately, but should become effective January 1, 1975. Delaying the effective date of such compulsory transfers of facilities will have many beneficial effects. In this approximate ten year period, it is expected that the loads of the two utilities will approximately double, and revenues will increase correspondingly, and these factors may be given due and proper consideration in long range planning by both utilities to cushion the impact of the transfers. It will give time for both utilities to work out the public relations problems involved when transferring customers from one utility to another. It will also give either or both parties adequate time to appeal this decision, if such action be deemed necessary, and obtain a Judicial review of the determinations made herein by the Commission by Courts of competent jurisdiction. Furthermore, during this period of time the parties involved are free to negotiate, within the framework of this decision, agreements for the immediate sale and transfer of facilities on terms, conditions, and prices to be determined by the parties -- provided, however, that on January 1, 1975, or the first legal business day thereafter, all of the distribution facilities then owned by one utility in the service area certificated to the other shall be transferred at net book to the utility certificated to serve the area. The selling utility, however, at its election, may designate certain facilities as necessary for its future use as transmission, connecting or feeder lines for service to consumers in its certificated area, and retain such facilities. In other words, the selling utility can retain any facilities which it might have in the certificated area of the other utility, if, in its opinion, such facilities are necessary for its use in rendering service to customers in its own certificated area. We have previously stated that the transfers to be made on January 1, 1975, should be at net book. Net book is simply the original cost of the facilities less accrued depreciation. It is the amount which the utility has remaining as an investment in said facilities. We would anticipate that the utilities herein involved will consult and work together to consummate an orderly transfer of facilities, and that a major portion of such transfers will have been completed perhaps some years before the January 1, 1975 deadline date. Until facilities are transferred from the non-certificated utility to the certificated utility, the non-certificated utility shall not only have the right to continue to serve existing customers and locations from such

> facilities, but shall also have the right to make service drops from such facilities to serve new customers and new locations. We note that all facilities ordered to be transferred in this proceeding are profitable facilities in that large numbers of customers are served from relatively short mileages of distribution lines, and that therefore, a limited economic incentive exists as to the selling utility to sell prior to the expiration of the deadline date to obtain a higher price than the net book price which will be effective on said deadline date. In effect, the selling utility has the option of keeping such facilities until the deadline date, thereby retaining the profits from such operation for such period, or in the alternative negotiating for immediate sale at a higher price. In all cases involving the sale of facilities under the provisions of this Order, no serious damage will be incurred by the systems of either utility, as such transfers involve facilities at the outer fringe of the service area of each. Order provisions to follow will provide for the sale of facilities as hereinabove discussed."

The statements made in the above-cited Decision are equally applicable in the instant proceeding. However, it would appear that a five year period would be adequate in the present proceeding for the completion of the necessary transfers.

In Case No. 5268, a complaint of Southeast vs. Power Company, the Commission issued its decisions authorizing Power Company to serve a customer in the NE$\frac{1}{4}$, Section 3, Township 25 South, Range 54 West. To eliminate physical duplication, the order provided for joint use by Power Company of facilities owned by Southeast, and further specified conditions for rentals and cost divisions. The Commission decisions have been appealed to the District Court. Southeast serves many customers along this distribution line both from the joint use portion and southerly beyond the joint use portion for more than twenty miles plus numerous laterals from points between. Power Company serves no other customers in the area. Southeast should continue its service from this line to existing and future customers. No change will be made in the provisions of the Decisions No. 62656 and No. 63584 pending Judicial determination of such appellate proceedings.

POWER COMPANY - SOUTHEAST - LA JUNTA CONFLICT

Eighteen exhibits were submitted by La Junta including maps of the area sought, locations of outside properties controlled and electric service thereto, municipal bond ordinances, electric service contracts, correspondence, agreements with Southeast and with City customers and its electric rates.

The electric operation of La Junta is not a public utility and is not subject to jurisdiction of this Commission in its operations within the corporate limits of the City or for its service required for City administrative purposes on City controlled lands beyond the City limits. Extra-corporate limit electric service is on lands located north of the City and include three locations for municipal water wells, water storage tanks, sewer treatment plants and the La Junta Air Base. Service is also provided to customers on three small parcels beyond the City limits.

Exhibit C sets forth the growth and development plans of the City. It is felt future expansion of the City limits will be limited in the direction it may take because it is shut off on the north by the Arkansas River. Approximately 34 sections of land located west, south and east of the City are requested to be certificated. 553 customers served by Power Company and Southeast are located on the 34 sections. They are located mostly east and west of La Junta. Development to the south has been hindered due to the poor quality of the land. La Junta has had requests for its other municipal services of water, sewer and trash collection beyond the City limits. The City declines, however, to supply such service since they are not "profit making," unless electric service is also furnished.

There was no testimony that the electric service of Power Company and Southeast was inadequate or unsatisfactory and neither is willing that service be assumed by La Junta. The entire area sought for certification by La Junta is now adequately served by

either Power Company or Southeast. We see no reason why areas which are now being adequately served by other public utilities should be taken from them and given to La Junta. Considering all of the factors before us, the application of La Junta should be denied. We note that under the statutes of the State of Colorado, La Junta may exercise its right of eminent domain to acquire the electric distribution facilities of utilities in areas which it may annex in the future.

SOUTHEAST - LAS ANIMAS CONFLICT

The conflict of electric service in this area of the several applications is minor. Las Animas and Southeast have reached agreements on a common boundary and also on an exchange of customers so that, if ordered by this Commission, neither will be supplying or offering to supply service in the area served by the other utility. Southeast will transfer approximately 20 customers to Las Animas and will receive about five. Though there is a disparity in the numbers of customers to be exchanged, the annual revenue involved with each group is nearly equal. Public convenience and necessity will be served if the area requested by Las Animas is certificated to it and the exchange of customers and facilities as proposed by Las Animas and Southeast is approved.

SPRINGFIELD - SOUTHEAST CONFLICT

Springfield seeks a certificate in a small area surrounding the Town. In its testimony it was stated to be six square miles. However, the boundary described in its application and shown on its Exhibit B contains approximately two square miles, excluding the corporate area of the Town. Nine customers are served beyond the Town limits. The distribution lines of Southeast completely surround the Town and supply customers located on all sides thereof, with the majority of such customers located south of the Town along U. S. Highway 287 for a distance of about one mile. There was no testimony

that service of Southeast was inadequate or unsatisfactory. If Springfield annexes territory now served by Southeast and wishes to assume the supply of electric service in such annexed areas, it can so do by negotiation or under remedies provided in the Colorado Statutes. Public convenience and necessity would not be served by granting a certificate to Springfield, and the application of Springfield should be denied.

LAMAR - SOUTHEAST CONFLICT

Lamar began its operation as a public utility in 1919, serving, in addition to the City of Lamar, the communities of Big Bend, Westfarm, Cornman, May Valley and Wiley. By 1930, electric service had been extended to McClave, Milwood, Bristol, Granada and Hartman. In 1937, lines were extended to Holly. Granada and Holly are incorporated towns and operate their own electric utilities.

McClave is at the westerly edge and Holly is at the easterly edge of Lamar's service territory. The service area in between generally follows the Arkansas River. With the exception of an electric distrubition line running south from Lamar and a small service area extending approximately 4 miles east of Lamar, the electric facilities and service outside of Lamar are northerly of the river and are still generally confined to a narrow band extending east-west. Pumping of underground water for irrigation of crop lands accounts for a substantial portion of the electric load outside the City.

The distribution lines of Lamar physically cover only part of its certificated area and in the extended area requested by it, consisting of some 104 additional sections, only four can now be said to be served by Lamar. No showing was made, in any manner, of service need in the remaining 100 sections beyond Lamar's witness' statement: "I think there are other potential customers and they would be of a nature of expanded irrigation that I mentioned earlier."

In a large percentage of the sections of land within the present certificated Lamar area not physically served by Lamar, Southeast has constructed electric distribution lines to serve customers. These lines were legally constructed and supplied electric service to customers who for various reasons, mostly economic and perhaps caused by the cash requirements of the Lamar "extension policy," previously were unable to obtain central station service. Physical duplication does exist in some places created to a degree by the construction of Southeast and perhaps some duplication was created by Lamar. An examination of Southeast Exhibit No. 8 shows many sections of land where the only supplier of electric service is Southeast. In the remaining area parallel distribution lines exist. To eliminate the duplication of service as suggested by Lamar, i.e., by removal of some lines by Southeast and purchase by Lamar of the remainder in Lamar's claimed area, could create even greater economic waste and at the same time could seriously damage the financial ability of Southeast to render electric service to its remaining customers. It would involve the transfer of 694 of the 6,700 customers now served by Southeast with their accompanying revenue of $178,080 out of a total of $1,382,000 for 1963.

Duplication of distribution facilities exists, and public convenience and necessity requires a re-definition of the Lamar certificate area and a denial in part, of its request for an extension thereof. At the same time, there is required a definition of the area to be certificated to Southeast.

Chapter 115-5-1 (2) Colorado Revised Statutes 1953 provides:

> "(2) Whenver the commission after a hearing upon its own motion or upon complaint, shall find that there is or will be a duplication of service by public utilities in any area, the commission shall, in its discretion, issue a certificate of public convenience and necessity assigning specific territories to one or to each of said utilities or by certificate of public convenience and necessity to otherwise define the conditions of rendering service and

> constructing extensions within said territories, and shall, in its discretion, order the elimination of said duplication, all upon such terms as are just and reasonable, having due regard to due process of law and to all the rights of the respective parties and to public convenience and necessity."

Accordingly, our Order will assign specific territories to both Lamar and Southeast and prescribe the conditions of service to be followed by Southeast and Lamar in the conflict areas with a transfer of customers and facilities.

SOUTHEAST - HOLLY CONFLICT

Holly acquired its electric distribution system in 1949 and at the same time the Certificate of Inland Utilities was transferred to it, both pursuant to Order of this Commission. At the present time, approximately 60 customers receiving electric service from Holly are beyond the Town limits. The distribution lines supplying this service at their furthest point from Town do not exceed two miles. Southeast provides service in the remainder of the area. Very little physical duplication occurs in this area and no problem of disentanglement is present. Future duplication may occur if either Holly or Southeast extend their facilities in any manner without regard to the location of the facilities of the other. Thus, the certificated area of Holly should be revised and specific areas certificated to Southeast to separate the areas to be served by them in the future. Our Order will assign specific territories to both Holly and Southeast. No problem of exchange or sale of facilities seems to exist.

SOUTHEAST - GRANADA and HARTMAN CONFLICT

The town of Granada did not appear in protest to the application of Southeast nor did it seek a certificate on its own.

According to Exhibit 8 of Southeast, the Town of Granada supplies electric service, apparently confined to the Town limits with perhaps one exception. A distribution line extends southwesterly

from the south town limits and crosses the north one-half of Section 13 and the north one-half of Section 14, Township 23 South, Range 44 West. Southeast does not seek a certificate in this area and these two half sections will not be certificated to anyone.

The Town of Hartman did not appear nor did it seek a certificate. No testimony was offered relative to electric service in Section 23, Township 22 South, Range 43 West, where Hartman is situate. No electric service by any other utility appears to exist in this section and therefore it will not be certificated to anyone.

SOUTHEAST - NON CONFLICT AREA

The area remaining to be served by Southeast, where no conflict exists, is still substantial. It is thinly populated and requires many miles of line to serve the customers. In the total area of service as now existing, the customer density is only 1.6 per mile of distribution line. These distribution lines cover much of eleven counties to connect the 6,700 customers it serves. In this remaining area a certificate of public convenience and necessity should be granted modifying, however, the exterior boundaries sought by Southeast to exclude those areas where no distribution lines and no public convenience and necessity appears to exist. The boundaries as drawn will permit such extensions as may be ordinarily practicable, in the light of economics, to a potential customer and ordinarily anticipated revenues will support the construction costs of the company.

GENERAL

Each of the Applicants or Protestants herein included in their exhibits maps purporting to show their service areas and the location of their distribution lines and customers. Many pages of testimony and a few exhibits were presented to show inaccuracies of both customer and distribution line locations displayed on the map exhibits. Disagreement exists as to these locations between the utilities and even extends to the situation where a utility submitted

two or more map exhibits portraying the same area and facilities. This condition applies particularly in the Power Company-Southeast conflict area, and the Lamar-Southeast conflict area. These differences compound the duty of the Commission to unravel conflicts which in their simplest form are most difficult. Inconsistencies which may appear to the utilities in the allocation of territories between them may have been caused by errors inherent in the exhibits which they introduced in evidence.

For convenience, the conflict areas will be dealt with land section by land section, or by metes and bounds and those areas assigned to other utilities will not be construed in any manner to be certificated service areas of Southeast, but will be specific exemptions to the area assigned to Southeast contained within its described exterior boundary. Southeast should be expressly prohibited from serving within the municipal limits of any municipality providing its own municipal electric service. If any municipality operating its own electric utility annexes areas served by Southeast, it has statutory remedies available to it to provide its own electric utility service if acquisition of facilities of Southeast cannot be negotiated. Also, we are not aware of any prohibition to a municipality to serve itself in owned or controlled parcels of land not within the corporate limits of the City. Such areas, as now known, should not be certificated to any utility.

On September 3, 1964, the City of La Junta filed an amended Application No. 20090, and a motion to reopen for the purpose of submitting new evidence. On the same date, Lamar filed a motion to reopen all applications to submit new evidence. Both motions are denied as are any other motions not heretofore disposed of.

Where one utility will be furnishing service in an area certificated to another utility, we have indicated the ultimate withdrawal of the service of the non-certificated utility. To do

this with the least impact on the customers and the non-certificated utility the service should be gradually withdrawn. No extension of facilities of the non-certificated utility should be permitted. Provided, however, that if a new applicant for service should present himself during the period of transition to be ordered herein,

a) The utility certificated herein shall provide the requested service if it can do so with no more than the installation of a transformer and service loop.

b) The utility now serving the area, in the absence of the condition set forth in (a) above, shall provide the requested service if it can do so from facilities immediately available.

c) If a distribution line extension is required to provide the requested service the utilities shall confer to determine the least duplication that will obtain, keeping in mind the ultimate transfer of facilities, and after having so determined the utility that can supply the requested service with the least duplication will make the connection subject to the ultimate sale of facilities to be provided hereafter.

Compliance with this procedure will eliminate the construction of duplicating facilities during the transition period. When practicable, service should be assumed by the acquiring utility through an immediate transfer of ownership and the cost of the transferred property should be based on the depreciated cost-or in other words-at net book value. The selling utility shall not realize a profit on the transfer, which would ultimately have to be paid by the users of the service. If new construction is required by the utility to provide service to the customers being transferred, it should be done without any cost to the customer. A period of five years should be allowed for this transition. Upon the expiration of this time, only the certificated

utility will be supplying electric service. In the event the selling utility requires its distribution lines to tie together its certificated areas, it may retain such facility and ownership therein, but will not furnish service in the area certificated to another.

Under the statutes of the State of Colorado, the Commission has jurisdiction of Western Power and Gas Company, Southern Colorado Power Division, Southeast Colorado Power Association, the City of Lamar's electric operations beyond its City Limits, the City of Las Animas' electric operations beyond its City Limits, and the Town of Holly's electric operations beyond its Town Limits. It has jurisdiction of the subject matter herein. This Commission has no jurisdiction of the operation of electric facilities and service provided by a municipality within its corporate limits. The service now being supplied by Springfield and La Junta beyond their corporate limits is de minimus and each of said cities may continue to render such existing service.

There is presently unnecessary duplication of service by public utilities in the area here under consideration. It is in the public interest, and public convenience and necessity require that the Commission, in exercising its discretion, should eliminate such duplication. The assignment of certificates of public convenience and necessity to each of said public utilities, as herein provided, and under the terms and conditions herein set forth will eliminate unnecessary duplication. Public convenience and necessity require that Power Company, Southeast, Las Animas, Lamar and Holly be assigned revised certificates of public convenience and necessity to render electric service in the areas as hereafter specifically set forth and it is in the public interest that such certificates be granted. The public interest does not require La Junta and Springfield to provide electric service in the areas they seek beyond their corporate limits. The areas sought to be served by them are already

adequately served by one or more of the public utilities certificated herein.

O R D E R

THE COMMISSION ORDERS:

1. That Western Power and Gas Company, Southern Colorado Power Company Division be, and it hereby is, granted a certificate of public convenience and necessity to render electric service within the following described area:

RANGE 60 WEST

Township 22 South
$S\frac{1}{2}$ of Section 2; $E\frac{1}{2}$ of Section 4; N 3/4 of Section 10; N 3/4 of Section 11; Section 12 south of the Arkansas River less the $SW\frac{1}{4}$ thereof.

RANGE 59 WEST

Township 21 South
$E\frac{1}{2}$ of Section 36.

Township 22 South
$E\frac{1}{2}$ of Section 1; Section 7 south of the Arkansas River; $S\frac{1}{2}$ of Section 10; $S\frac{1}{2}$ of Section 11; $S\frac{1}{2}$ of Section 12; $N\frac{1}{2}$, $SW\frac{1}{4}$ of Section 13; $E\frac{1}{2}$ of Section 14; W 3/4 of Section 15; Sections 16 and 17; $N\frac{1}{2}$, $SE\frac{1}{4}$ of Section 18; $SE\frac{1}{4}$, $E\frac{1}{2}SW\frac{1}{4}$ of Section 19; Section 20; $W\frac{1}{2}$ of Section 21; $NE\frac{1}{4}$ of Section 22; $NE\frac{1}{4}$ of Section 23; $N\frac{1}{2}$ of Section 24; $W\frac{1}{2}$ of Section 28; Section 29; $E\frac{1}{2}$,$SW\frac{1}{4}$ of Section 30.

RANGE 58 WEST

Township 21 South
$SE\frac{1}{4}$ of Section 22; $S\frac{1}{2}$ of Section 23; Sections 25 and 26; $E\frac{1}{2}$ of Section 27; $S\frac{1}{2}$, $NW\frac{1}{4}$ of Section 31; $S\frac{1}{2}$, $NE\frac{1}{4}$ of Section 32; Sections 33 through 36, inclusive.

Township 22 South
Sections 1-4; $S\frac{1}{4}$ of Section 5; Sections 6-26; $N\frac{1}{2}$ of Section 27; Section 28; $N\frac{1}{2}$ of Section 29; $NE\frac{1}{4}$ of Section 30; Section 33.

RANGE 57 WEST

Township 21 South
SE¼ of Section 10, S½ of Section 11; SW¼ of Section 12; Sections 13 and 14; E½, SW¼ of Section 15; S½ of Section 16; SE¼ of Section 17; S½ of Section 19; Sections 20 through 26; E½ of Section 27; N½ of Section 29; N½ of Section 30; E½ of Section 34; Sections 35 and 36.

Township 22 South
Sections 1 and 2; E½ of Section 3; SW¼ of Section 7; Sections 11, 12, 13, and 14; W½ of Section 18; W½ of Section 19; Sections 23 through 26 inclusive; SE¼ of Section 27; S½ of Section 29; S½ of Section 30, Sections 31-33; SW¼SW¼ of Section 34; E½ of Section 35; Section 36.

Township 23 South
Section 1; Section 2 South of U. S. Highway 50; NW¼ and balance of Section 3 South of U. S. Highway 50; E½, NW¼ of Section 4; N½ of Section 5; W 3/4 N¼ of Section 10; E 3/4 of Section 11; Sections 12 and 13; N 3/4 E½ of Section 14; E½, SW¼ of Section 24; E½, NW¼ of Section 25.

RANGE 56 WEST

Township 19 South
Sections 27, 28, 29, 32, 33, 34 and 35.

Township 20 South
Section 2; Sections 3, 4, 5, 8 through 17, inclusive; S½ of Section 18; Sections 19 through 36, inclusive.

Township 21 South
N½ of Section 1; Sections 2, 3 and 4; E½, NW¼ of Section 5; NE¼ of Section 6; E½ of Section 8; Sections 9, 10; W½ of Section 11; W½ of Section 15; Sections 16 and 17; S½ of Section 18; Sections 19, 20, 21, 28 through 33, inclusive.

Township 22 South
Sections 4 through 9, inclusive; Sections 16 through 21, inclusive; Sections 28 through 36, inclusive.

Township 23 South
Sections 1 through 10; N½ of Section 11; N½, SE¼ of Section 12; NE¼ of Section 13; Sections 15 through 22; S½, NW¼ of Section 23; Sections 25, 26 and 27; E½ of Section 28; Section 30; N 3/4 of Section 31; E½ of Section 33; W¼ of Section 34; NW¼ of Section 35; E 3/4 of Section 36.

Township 24 South
NE¼ of Section 1; NW¼ of Section 3; NE¼ of Section 4.

RANGE 55 WEST

Township 22 South
Sections 19 through 22, inclusive; E½ of Section 24; S½ of Section 25; Section 26 less the N¼ and S¼ thereof; W½ of Section 27; Sections 28-33; N½ of Section 36.

Township 23 South
N½ of Section 5; N½, SW¼ of Section 6; W½ of Section 7; NW¼ of Section 18; Sections 30, 31; S½, NW¼ of Section 32; S½ of Section 33; Sections 34 and 35; W¼ of Section 36.

Township 24 South
Sections 1, 2, 3, 4, and 5 north of U. S. Highway 50; N½ of Section 10, except those portions of the above within the corporate limits of the City of La Junta.

RANGE 54 WEST

Township 22 South
W½ of Section 19; W½ of Section 30.

It is further ordered that no other public utility subject to the jurisdiction of this Commission render electric service in this area, except as may otherwise be provided herein, or except by further specific Order of this Commission.

2. That the City of Las Animas be, and it hereby is, granted a certificate of public convenience and necessity to render electric service in the area within the following described exterior boundaries:

Beginning at the southwest corner of Section 9, Township 23 South, Range 52 West of the 6th P. M., in Bent County, Colorado; thence easterly one mile to the southeast corner of Section 9, Township 23 South, Range 52 West; thence southerly on section line common to Sections 15 and 16 a distance of 4455 feet; thence easterly a distance of 3860 feet to centerline of north south county road; thence southerly a distance of 825 feet to the south line of Section 15, Township 23 South, Range 52 West; thence easterly along said section line to the southeast corner of Section 15, Township 23 South, Range 52 West; thence on east along south line of Section 14, Township 23 South, Range 52 West, a distance of 1000 feet to a point on south line of Section 14; thence northerly across Section 14 and part of Section 11, Township 23 South, Range 52 West, to the intersection of said line with the centerline of the Santa Fe main line railroad track; thence easterly along center line of Santa Fe railroad tracks across Sections 11 and 12, Township 23 South, Range 52 West;

thence across Sections 7, 8 and 9, Township 23 South, Range 51 West, to the east section line of Section 9, Township 23 South, Range 51 West; thence easterly along the center line of the Santa Fe railroad tracks to the intersection of the mid-section line of Section 10, Township 23 South, Range 51 West; thence northerly on half section line approximately two miles to the southeast corner of the NW¼ of Section 34, Township 22 South, Range 51 West; thence westerly 1¼ miles to the southeast corner of the W½ of the NW¼ of Section 33, Township 22 South, Range 51 West; thence northerly ¼ mile to the SE corner of the NW¼ of the NW¼ of Section 33, Township 22 South, Range 51 West; thence westerly ¼ mile to the SW corner of the NW¼ of the NW¼ of Section 33, Township 22 South, Range 51 West; thence northerly along section line to the NE corner of the SE¼ of Section 29, Township 22 South, Range 51 West; thence westerly 4680 feet on ½ section line of Section 29, Township 22 South, Range 51 West; thence south ½ mile to the south section line of Section 29, Township 22 South, Range 51 West (4680 feet west of the SE corner of Section 29); thence westerly on section line to the SW corner of the SE¼ of the SE¼ of Section 30, Township 22 South, Range 51 West; thence northerly 2150 feet; thence westerly 2640 feet to the east edge of the W¼ of said section; thence southerly 300 feet; thence westerly to the intersection of said line with section line common to Sections 25 and 30; thence on westerly 1320 feet in Section 25, thence northerly to the NW corner of the NE¼ of the NE¼ of Section 25, Township 22 South, Range 52 West; thence on northerly to intersection of said line with center line of the Fort Lyon Canal in Section 24, Township 22 South, Range 52 West; thence southwesterly along center line of said canal to the intersection of Fort Lyon Canal with the west section line of Section 24, Township 22 South, Range 52 West; thence southerly along section line to the NE corner of Section 26, Township 22 South, Range 52 West; thence westerly ¼ mile; thence southerly ½ mile; thence westerly ¼ mile to the NW corner of the SE¼ of Section 26, Township 22 South, Range 52 West; thence southerly ½ mile to the SE corner of SW¼ of Section 26, Township 22 South, Range 52 West; thence westerly ½ mile to the NE corner of Section 34; Township 22 South, Range 52 West; thence southerly ¼ mile on section line common to Sections 34 and 35 to the SE corner of the NE¼ of the NE¼ of Section 34, Township 22 South, Range 52 West; thence westerly ¼ mile to the SW corner of the NE¼ of the NE¼ of Section 34, Township 22 South, Range 52 West; thence southerly to the SW corner of the SE¼ of the SE¼ of Section 34, Township 22 South, Range 52 West; thence on southerly to intersection of said line with the center of the Arkansas River; thence southwesterly up the Arkansas River to the intersection of said river with the section line common to Sections 4 and 5, Township 23 South, Range 52 West; thence southerly along section line common to Sections 4 and 5, and Sections 8 and 9, to the point of beginning.

It is further ordered that no other public utility subject to the jurisdiction of this Commission render electric service in this area, except as may otherwise be provided herein, or except by further specific Order of this Commission.

3. That the City of Lamar be, and it hereby is, granted a certificate of public convenience and necessity to render electric service within the following described area:

RANGE 49 WEST

Township 22 South
Section 12, Section 13, except $SW\frac{1}{4}SW\frac{1}{4}$.

RANGE 48 WEST

Township 21 South
$S\frac{1}{4}$ of Section 13; $E\frac{1}{2}$ of Section 23; Section 24; $N\frac{1}{2}$, $SE\frac{1}{4}$ of Section 25; $NE\frac{1}{4}$ of Section 26; $E\frac{1}{2}$ of Section 36.

Township 22 South
$E\frac{1}{2}$ of Section 1; Section 7; $W\frac{1}{4}$ and $S\frac{1}{2}$ of Section 8; $SW\frac{1}{4}$, $S\frac{1}{2}SE\frac{1}{4}$ of Section 9; $S\frac{1}{4}$ of Section 10; $S\frac{1}{4}$ of Section 11; $S\frac{1}{2}SW\frac{1}{4}$, $E\frac{1}{2}$ of Section 12, $N\frac{1}{2}$ of Section 13; $N\frac{1}{2}$ of Section 14; Sections 15 and 16 north of Santa Fe railroad; Sections 17 and 18; $NE\frac{1}{4}$ of Section 19; $N\frac{1}{2}$ of Section 20.

RANGE 47 WEST

Township 21 South
$W\frac{1}{2}$ of Section 13, except $N\frac{1}{4}$ thereof; $W\frac{1}{2}$, $SE\frac{1}{4}$ of Section 24; Section 25; $W\frac{1}{4}$ of Section 30; $N\frac{1}{2}$, $W\frac{1}{4}S\frac{1}{2}$ of Section 31; $N\frac{1}{2}$, $SE\frac{1}{4}$ of Section 36.

Township 22 South
$E\frac{1}{2}$ of Section 1; $W\frac{1}{2}$ of Section 5; Sections 6, 7 and 8; Sections 9, 10, 11, and 12 south of Santa Fe railroad; $NE\frac{1}{4}$ of Section 12; Section 13; $E\frac{1}{2}$, $NW\frac{1}{4}$ of Section 14; $N\frac{1}{2}$ of Section 15; $N\frac{1}{2}$ of Section 16; $N\frac{1}{2}$ of Section 17; $N\frac{1}{2}$, $NW\frac{1}{4}SE\frac{1}{4}$, $NE\frac{1}{4}SW\frac{1}{4}$ of Section 18; $E\frac{1}{2}$ of Section 23; Section 24; $E\frac{1}{4}$ of Section 25; $E\frac{1}{4}$ of Section 36.

Township 23 South
S-3/4, $NE\frac{1}{4}NE\frac{1}{4}$ of Section 1; Sections 12 and 13; $N\frac{1}{2}$ of Section 24.

RANGE 46 WEST

Township 21 South
W½ of Section 29; Sections 30 and 31; W½ of Section 32.

Township 22 South
W½ of Section 1; E½ of Section 2; W½ of Section 4; Sections 5, 6 and 7; W½ of Section 8; E½ of Section 11; Sections 12 and 13; E½ of Section 14; W 3/4 N½ of Section 15; N½ of Section 16; Sections 17 through 20, inclusive; N½ of Section 25; Section 26; NE¼, S½ of Section 27; Section 28 south of the Arkansas River; Sections 29 through 32, except the corporate limits of the City of Lamar; N½ of Section 33; NW¼, E½ of Section 34; Section 35.

Township 23 South
Sections 1 and 2; E½, S½SW¼ of Section 3, S½ of Section 4; Sections 5 through 8, inclusive, except those portions within the City limits of the City of Lamar; Sections 9 through 12, inclusive; W½ of Section 14; Sections 15 through 22, inclusive; W½ of Section 23; W½ of Section 26; Sections 27 and 28; SE¼, N½ of Section 29; N½ of Section 30; E½ of Section 32; Sections 33 and 34; W½ of Section 35.

Township 24 South
W½ of Section 2; Sections 3 and 4; E½ of Section 5; E½ of Section 8; Sections 9 and 10; W½ of Section 11; W½ of Section 14; Sections 15 and 16; E½ of Section 17; E½ of Section 20; Sections 21 through 28, inclusive; E½, SW¼ of Section 29; SE¼ of Section 30; NE¼ of Section 31; N½ of Section 32; N½ of Section 33; N½ of Section 34; N½ of Section 35; N½ of Section 36.

RANGE 45 WEST

Township 22 South
S½ of Section 2; SE¼ of Section 3; Sections 7, 10, 11, and 12; E½ of Section 13; S½ of Section 14; Sections 15 and 18; E-3/4 of Section 19; S½ of Section 20; S½ of Section 21; S½, NE¼ of Section 22; S½ of Section 23; S½ of Section 24; Sections 25 through 29, inclusive, north of the Arkansas River; Section 30 north of the Arkansas River, except the SW¼ thereof.

RANGE 44 WEST

Township 22 South
Sections 17 and 18; S½ of Section 19; Section 20; S½ of Section 21; S¼ of Section 22; S¼ of Section 23; Sections 24, 25, and 26; Sections 27 through 30, inclusive, north of the Arkansas River; E-3/4 of Section 36.

Township 23 South
E-3/4 of Section 1.

It is further Ordered that no other public utility subject to the jurisdiction of this Commission render electric service in this area except as may otherwise be provided herein, or except by further specific Order of this Commission.

4. That the Town of Holly be, and it hereby is, granted a certificate of public convenience and necessity to render electric service within the following described area:

RANGE 42 WEST

Township 23 South
$S\frac{1}{2}$ of Section 9, except the $W\frac{1}{4}$ thereof; Section 10, except the $NW\frac{1}{4}NW\frac{1}{4}$, and corporate limits of the Town of Holly; Sections 11, 14 and 15, except the corporate limits of the Town of Holly; Section 16, except the $W\frac{1}{2}SW\frac{1}{4}$; E-3/4 of Section 21; Sections 22 and 23.

It is further Ordered that no other public utility subject to the jurisdiction of this Commission render electric service in this area except as may otherwise be provided herein, or except by further specific Order of this Commission.

5. That the following described areas are not certificated to any public utility:

RANGE 43 WEST

Township 22 South
Section 23.

RANGE 44 WEST

Township 23 South
Section 12; $N\frac{1}{2}$ of Section 13; $N\frac{1}{2}$ of Section 14.

The areas included within the corporate limits of the Cities or Towns of Holly, Granada, Lamar, Springfield, Las Animas, and La Junta, and the following described parcels controlled by the City of La Junta, are not certificated to anyone:

AREAS CONTROLLED BY CITY OF LA JUNTA

PARCEL "A" DESCRIBED AS FOLLOWS

Commencing at the northeast corner of Section 12, Township 23 South, Range 55 West, 5280 feet west to the northwest

corner of Section 12; thence South 15,840 feet to the southwest corner of Section 24; thence east 600 feet; thence south 2640 feet; thence east 4680 feet; thence north 2640 feet to the southwest corner of Section 19, Township 23 South, Range 54 West; thence east 2640 feet; thence north 5940 feet; thence east 1360 feet; thence northeasterly 1839 feet; thence north 2640 feet to the northeast corner of Section 18, Township 23 South, Range 54 West, thence west 2640 feet; thence north 2640 feet; thence west 2640 feet; thence north 2640 feet, to the point of beginning.

PARCEL "B" DESCRIBED AS FOLLOWS

Commencing at a point 60 feet west of the east line and 1350 feet north of the southeast corner of Section 14, Township 23 South, Range 55 West, 6th Principal Meridian; thence west 2580 feet; thence south 1320 feet; thence east 2580 feet; thence north 1350 feet, to the point of beginning.

PARCEL "C" DESCRIBED AS FOLLOWS

Commencing at a point 60 feet west of the east line of and 662.7 feet south of the north line of Section 23, Township 23 South, Range 55 West of the 6th Principal Meridian; thence west 1272 feet; thence south 1322 feet; thence east 1272 feet; thence north 1322 feet, to the point of beginning.

PARCEL "D" DESCRIBED AS FOLLOWS

Commencing at a point 1545 feet west of the east section line of Section 34, Township 23 South, Range 55 West and 660 feet north of the south section line of Section 34, Township 23 South, Range 55 West of the 6th Principal Meridian; thence north 600 feet; thence west 405 feet; thence south 600 feet; thence east 405 feet, to the point of beginning; containing Lots 1, 2, 3, 4, 5 and 6, Block 7, Jachim Settlement.

PARCEL "E" DESCRIBED AS FOLLOWS

Commencing at a point being the northeast corner of southwest 16th of Section 35, Township 23, South, Range 55 West of the 6th Principal Meridian; thence north 450 feet; thence east 375 feet; thence south 500 feet; thence west 375 feet; thence north 50 feet, to the point of beginning; containing all of Block 24, excepting the south 100 feet of North La Junta.

PARCEL "F" DESCRIBED AS FOLLOWS

Commencing at a point 441.6 feet east of the west section line of Section 1, Township 24 South, Range 55 West, and 1256.5 feet south of the north line of Section 1, Township 24 South, Range 55 West of the 6th Principal Meridian; thence east 657 feet; thence north 630 feet; thence west 657 feet; thence south 630 feet; containing Lots 4 and 5, Block 6, McCreery Gardens, North of La Junta.

PARCEL "J" DESCRIBED AS FOLLOWS

Commencing at a point 60 feet east along the north section line of Section 25, Township 23, Range 55 West of the 6th Principal Meridian; thence east 600 feet; thence south 2640 feet; thence west 600 feet; thence north 2640 feet, to the point of beginning.

6. That Southeast Colorado Power Association be, and it hereby is, granted, subject to the exceptions to follow, a certificate of public convenience and necessity to render electric service in the area within the following described exterior boundaries:

Since all Ranges are west of the 6th Principal Meridian, the letter "W" will be inferred even though not written and since all Townships are south of the base line, the letter "S" will be inferred even though not written.

Beginning at the SE corner of Section 15 in Colorado, T. 35, R. 41, which point is the SE corner of State of Colorado, and common to Colorado, Oklahoma and Kansas;

thence north along the boundary common to Colorado and Kansas, a distance of 72 miles approximately to the SE corner, Section 17, T. 23, R. 41; thence west one mile; thence north one mile; thence east 1 mile to the NE corner of said section; thence north along the Colorado-Kansas State line 27 miles to the intersection with the south line of Section 29, T. 18, R. 41; thence west approximately $3\frac{1}{4}$ miles to the SW corner, Section 26, T. 18, R. 42; thence north 2 miles; thence east approximately $3\frac{1}{4}$ miles to the intersection of the north line of Section 20, T. 18, R. 41, with the Colorado-Kansas State line; thence north along said state line 9 miles to the intersection of the north section line of Section 5, T. 17, R. 41; thence west $15\frac{1}{2}$ miles approximately to the NW corner, Section 2, T. 17, R. 44; thence south 5 miles to the NE corner, Section 34, T. 17, R. 44; thence west 7 miles to the NW corner Section 34, T. 17, R. 45; thence north 2 miles to the NE corner, Section 21, T. 17, R. 45; thence west 6 miles to the NE corner, Section 21, T. 17, R. 46; thence north 3 miles to the NE corner, Section 4, T. 17, R. 46; thence west 25 miles to the NW corner, Section 4, T. 17, R. 50; thence south 2 miles to the NE corner, Section 17, T. 17, R. 50; thence west 8 miles to the NW corner, Section 18, T. 17, R. 51; thence south 6 miles to the NE corner, Section 13, T. 18, R. 52; thence west 8 miles to the NE corner, Section 21, T. 18, R. 53; thence north 2 miles to the NE corner, Section 3, T. 18, R. 53; thence west 7 miles to the NW corner, Section 3, T. 18, R. 54; thence south 4 miles to the NE corner, Section 28, T. 18, R. 54; thence west 3 miles to the NW corner, Section 30, T. 18, R. 54; thence north $\frac{1}{2}$ mile to the NE corner, Section 24, T. 18, R. 55; thence west 2 miles to the NE corner, Section 22, T. 18, R. 55; thence north 3 miles to the NE corner, Section 3, T. 18, R. 55; thence west 4 miles to the NW corner, Section 6, T. 18, R. 55; thence south approximately 2 miles to the NE corner of Section 13, T. 18, R. 56; thence west 6 miles to the NW corner of Section 18, T. 18, R. 56; thence south 1 mile to the NE corner of Section 24, T. 18, R. 57; thence West 2 miles to the NW corner of Section 23, T. 18, R. 57; thence south 14 miles to the NE corner of Section 34, T. 20, R. 57; thence west 2 miles to the NW corner of Section 33, T. 20, R. 57; south 1 mile to the SW corner of Section 33, T. 20, R. 57; thence west along correction line 9 miles to the SW corner of Section 36, T. 20, R. 59; thence north 3 miles to the NW corner, Section 24, T. 20, R. 59; thence east 2 miles to the NE corner, Section 19, T. 20, R. 58; thence north 2 miles to the NW corner, Section 8, T. 20, R. 58; thence east 2 miles to the NE corner, Section 9, T. 20, R. 58; thence north 1 mile to the NW corner, Section 3, T. 20, R. 58; thence east 2 miles to the NE corner, Section 2, T. 20, R. 58; thence north 5 miles to the NW corner, Section 12, T. 19, R. 58; thence west 2 miles to the SW corner, Section 3, T. 19, R. 58; thence north 2 miles to the NW corner of Section 34, T. 18, R. 58; thence west 1 mile to the SW corner of Section 28, T. 18, R. 58; thence north 1 mile to the NW corner of said section; thence west 3 miles to the SW corner, Section 24, T. 18, R. 59; thence north 2 miles to the NW corner, Section 13, T. 18, R. 59; thence east 2 miles to the NE corner, Section 18, T. 18,

R. 58; thence north 3 miles to the NW corner, Section 32, T. 17, R. 58; thence east 3 miles to the NE corner of Section 34, T. 17, R. 58; thence north 3 miles to the NW corner, Section 14, T. 17, R. 58; thence east 2 miles to the NE corner, Section 13, T. 17, R. 58; thence north 6 miles to the NW corner, Section 18, T. 16, R. 57; thence west 3 miles to the SW corner, Section 10, T. 16, R. 58; thence north 2 miles to the NW corner, Section 3, T. 16, R. 58; thence west 6 miles to the SW corner, Section 34, T. 15, R. 59; thence north 6 miles to the NE corner, Section 4, T. 15, R. 59; thence west 15 miles to the NW corner, Section 6, T. 15, R. 61; thence south 12 miles to the SW corner, Section 31, T. 16, R. 61; thence east 3 miles to the SE corner, Section 33, T. 16, R. 61; thence south 23 miles to the SW corner, Section 27, T. 20, R. 61; thence east 4 miles to the SE corner, Section 30, T. 20, R. 60; thence south 1 mile to the SW corner, Section 32, T. 20, R. 60; thence east approximately 3/4 mile to the NW corner of Section 4, T. 21, R. 60; thence south 2 miles to the SW corner of Section 9, T. 21, R. 60; thence east 1 mile to the SE corner of Section 9, T. 21, R. 60; thence south 1 mile to the SW corner of Section 15, T. 21, R. 60; thence east $\frac{1}{2}$ mile to the $N\frac{1}{4}$ corner of Section 22, T. 21, R. 60; thence south 2 miles to the $S\frac{1}{4}$ corner of Section 27, T. 21, R. 60; thence west 1 mile to the $S\frac{1}{4}$ corner of Section 28, T. 21, R. 60; thence south 2 miles to the $S\frac{1}{4}$ corner of Section 4, T. 22, R. 60; thence west $\frac{1}{2}$ mile to the NW corner of Section 9, T. 22, R. 60; thence south $1\frac{1}{2}$ miles to the $E\frac{1}{4}$ corner of Section 17, T. 22, R. 60; thence west 2 miles to the $W\frac{1}{4}$ corner of Section 18, T. 22, R. 60; thence south $2\frac{1}{2}$ miles to the SW corner of Section 30, T. 22, R. 60; thence east 4 miles to the SE corner, Section 27, T. 22, R. 60; thence south 1 mile to the SW corner, Section 35, T. 22, R. 60; thence east 2 miles to the SE corner, Section 36, T. 22, R. 60; thence south 2 miles to the SW corner, Section 7, T. 23, R. 59; thence east 7 miles to the SW corner, Section 8, T. 23, R. 58; thence south 4 miles to the SW corner, Section 32, T. 23, R. 58; thence east 5 miles to the SW corner, Section 31, T. 23, R. 57; thence south 18 miles to the SW corner, Section 31, T. 26, R. 57; thence east 3 miles to the SE corner of Section 33, T. 26, R. 57; thence south 2 miles to the SW corner, Section 10, T. 27, R. 57; thence east 2 miles to the SW corner, Section 12, T. 27, R. 57; thence south 4 miles to the SW corner, Section 36, T. 27, R. 57; thence east 11 miles to the SW corner, Section 35, T. 27, R. 55; thence south 13 miles to the NE corner, Section 10, T. 30, R. 55; thence west 6 miles to the NW corner, Section 11, T. 30, R. 56; thence south 14 miles to the SW corner, Section 14, T. 32, R. 56; thence east 5 miles to the SW corner, Section 10, T. 32, R. 55; thence south 8 miles to the SW corner of Section 27, T. 33, R. 55; thence east 4 miles to the SW corner, Section 29, T. 33, R. 54; thence south 3 miles to the SW corner, Section 8, T. 34, R. 54; thence east 7 miles to the SW corner, Section 9, T. 34, R. 53; thence south 1 mile to the SW corner, Section 16, T. 34, R.53; thence east 17 miles to the SW corner, Section 17, T. 34, R. 50; thence south 5 miles along the section lines to their intersection with the Colorado-New Mexico State line; thence east 57 miles to the point of beginning.

It is further Ordered that there shall be deleted from the above described area certificated to Southeast, all areas as set forth in paragraphs numbered 1, 2, 3, 4, and 5 hereinabove of this Order. It is further Ordered that no other public utility subject to the jurisdiction of this Commission render electric service in this area, except as may otherwise be provided herein, or except by further specific Order of this Commission.

7. It is further Ordered that Southeast shall not supply electric service within the corporate limits of any municipality operating its own electric utility, nor supply electric service within the corporate limits of any municipality from which another public utility has obtained a franchise to supply electric service therein and also holds from this Commission a certificate of public convenience and necessity to exercise franchise rights.

8. That any public utility, which is providing electric service to customers as of the effective date of this Order within an area herein certificated to another public utility, may continue to render such service to these customers until October 18,1970, and may render service to new customers from such facilities under the conditions hereinbefore set forth.

9. That Western Power and Gas Company (Southern Colorado Power Company Division), the City of Lamar, and the Town of Holly are ordered to sell to Southeast Colorado Power Association, and Southeast Colorado Power Association is ordered to purchase from said Company, City, and Town, as of October 18,1970, all electric distribution facilities, at net book, owned at that time by said company, city, and town located and situated in the areas certificated herein to Southeast Colorado Power Association in the paragraph numbered six hereinabove; provided, however, that said Company, City, and Town shall have the right, subject to the jurisdiction of this Commission, to retain any of said facilities which in its judgment may

be necessary for it to render service to customers in the areas certificated to it.

10. That Southeast Colorado Power Association is ordered to sell to Western Power and Gas Company (Southern Colorado Power Company Division) and Western Power and Gas Company is ordered to purchase from Southeast Colorado Power Association, as of October 18, 1970, all electric distribution facilities, at net book, owned at that time by Southeast Colorado Power Association located and situated in the areas certificated to Western Power and Gas Company in the paragraph numbered one hereinabove; provided, however, that Southeast Colorado Power Association shall have the right, subject to the jurisdiction of this Commission, to retain any of said facilities which in its judgment may be necessary for it to render service to customers in the areas certificated to it.

11. That Southeast Colorado Power Association is ordered to sell to the City of Lamar and the City of Lamar is ordered to purchase from Southeast Colorado Power Association, as of October 18, 1970, all electric distribution facilities, at net book, owned at that time by Southeast Colorado Power Association located and situated in the areas certificated to the City of Lamar in the paragraph numbered three hereinabove; provided, however, that Southeast Colorado Power Association shall have the right, subject to the jurisdiction of this Commission, to retain any of said facilities which in its judgment may be necessary for it to render service to customers in the areas certificated to it.

12. That Southeast Colorado Power Association is ordered to sell to the Town of Holly and the Town of Holly is ordered to purchase from Southeast Colorado Power Association, as of October 18, 1970, all electric distribution facilities, at net book, owned at that time by Southeast Colorado Power Association located and situated in the areas certificated to the Town of Holly in the paragraph

numbered four hereinabove; provided, however, that Southeast Colorado Power Association shall have the right, subject to the jurisdiction of this Commission, to retain any of said facilities which in its judgment may be necessary for it to render service to customers in the areas certificated to it.

13. That the agreement made and entered into by and between Southeast Colorado Power Association and the City of Las Animas for the exchange of customers be, and the same hereby is, approved.

14. That in all cases were the provisions of this Order may be in conflict with provisions of previous Orders of the Commission, the provisions of this Order shall be controlling, provided, however, that Decisions No. 62656 and No. 63584 of this Commission shall remain in full force and effect pending final judicial determination.

15. That nothing contained herein shall be interpreted to preclude a utility from traversing an area certificated to another utility with transmission or distribution feeder lines, or from locating substations or other needed facilities therein.

16. That the applications of La Junta and Springfield for a certificate of public convenience and necessity be, and hereby are, denied.

17. That Complaint Case No. 5253, herein having been resolved, should be, and now is, dismissed.

18. That the motions to reopen filed by the City of La Junta and by the City of Lamar be, and the same hereby are, denied.

19. That the Commission retain jurisdiction of these matters to make further Order or Orders as may be necessary in the premises.

That, except as otherwise provided herein, this Order

shall become effective twenty-one days from the date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

CHAIRMAN HENRY E. ZARLENGO DISSENTING:

I respectfully dissent for reasons heretofore expressed in my other dissents in other decisions involving the same issues.

Chairman

Dated at Denver, Colorado,
this 18th day of October, 1965.

ls

(Decision No. 66076)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
DELTA COUNTY CANNING COMPANY,) PERMIT NO. M-1156
P. O. BOX 75, DELTA, COLORADO.)
)

October 15, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 23, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,
this 15th day of October 196 5.

hc

(Decision No.66077)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF DALLAS SNYDER, DOING BUSINESS AS, "MATHENY FINANCE COMPANY", 901 NORTH SANTA FE, PUEBLO, COLORADO.

PERMIT NO. M-2332

October 15, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 13, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,
this 15th day of October 196 5.

hc

(Decision No. 66078)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF AMERICAN OAK PRESERVING COMPANY, INCORPORATED, MULBERRY STREET, NORTH JUDSON, INDIANA.

PERMIT NO. M-3301

October 15, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 21, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard S. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 15th day of October 196 5.

hc

(Decision No. 66079)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
L. L. MARSHALL, DOING BUSINESS AS, "THE HEARTH FIREWOOD COMPANY", 726 GENEVA, AURORA, COLORADO.) PERMIT NO.M-6156

October 15, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective August 25, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard L. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 15th day of October 196 5.

hc

(Decision No. 66080)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
KEITH F. NIELSEN, DOING BUSINESS AS,) PERMIT NO. M-7127
"A LI'L DEVIL FIREWOOD AND LAWN SERVICE",
16485 WEST 9TH AVENUE, GOLDEN, COLO-)
RADO. - - - - - - - - - - - - - - - - - -

- - - - - - - - - -
October 15, 1965
- - - - - - - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 18, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard S. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 15th day of October 196 5.

hc

(Decision No. 66081)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
FRED BRUG AND WAYNE VON TROTHA, DOING) PERMIT NO. M-13779
BUSINESS AS, "B.V.T. COMPANY", P. O.)
BOX 51, LA SALLE, COLORADO.)

October 15, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 4, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Commissioners

Dated at Denver, Colorado,
this 15th day of October 196 5.

hc

(Decision No. 66082)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
GREEN FLAG LAWN SERVICE OF DENVER, INCORPORATED, 201 WYANDOT STREET, DENVER, COLORADO.) PERMIT NO. M-15361

October 15, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 6, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,
this 15th day of October 1965.

hc

(Decision No. 66083)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
CECIL N. STAFFORD, DOING BUSINESS AS,) PERMIT NO. M-15539
"IGNACIO LAUNDROMAT", P. O. BOX 374,)
IGNACIO, COLORADO.)

October 15, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 14, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,
this 15th day of October 196 5.

hc

Decision No. 66084

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
YOUNGER BROTHERS - J. M. ENGLISH)
TRUCK LINES INC.)
4904 Griggs Road)
Houston, Texas 21)
)
-)

AUTHORITY NO. PUC 2482-I

CASE NO. 2513 Ins.

- - - - - - - - - - - - - - -
October 14, 1965
- - - - - - - - - - - - - - -

S T A T E M E N T

By the Commission:

On October 7, 1965, 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 14th day of October, 1965

Decision No. 66085

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
YOUNGER BROTHERS INC.)
P.O. Box 14066)
Houston, Texas 21)
)
)
)

AUTHORITY NO. PUC 5086-I

CASE NO. 2514 Ins.

October 14, 1965

S T A T E M E N T

By the Commission:

On October 7, 1965, 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 14th day of October, 1965

(Decision No. 66086)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
Henry J. Seaborn, Jr.,)
622 Gillette) PERMIT NO. B-5630
Colorado Springs, Colorado.)

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

- - - - - - - - - -
October 15, 1965
- - - - - - - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On April 1, 1965, the Commission authorized Henry J. Seaborn, Jr., Colorado Springs, Colorado, to suspend operations under his Permit No. B-5630 until September 17, 1965.

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

The Commission finds that the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-5630 should be, and the same hereby is, reinstated as of September 17, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Edward S. Bijkhuis
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 15th day of October, 1965.

et

(Decision No. 66087)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
Dan Drieth)
6821 Warren Drive) PERMIT NO. B-3082
Denver, Colorado 80221)

October 15, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be suspended for six months.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That suspension of motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized from

October 16, 1965 until April 16, 1966

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made, insurance be filed, and compliance with all rules and regulations of the Commission applicable thereto be made, said authority without further action by the Commission, shall be revoked without the right to reinstatement.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 15thday of October 1965.
et

(Decision No. 66088)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
Clark Mercer dba Mercer's)
Moving & Express) PUC NO. 3346
1335 Wabash, Denver, Colo 80220)

October 15, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be suspended for six months.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That suspension of motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized from November 16, 1965 until May 16, 1966.

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made, insurance be filed, and compliance with all rules and regulations of the Commission applicable thereto be made, said authority without further action by the Commission, shall be revoked without the right to reinstatement.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Edward J. Bijleveld

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,
this 15th day of October 1965
et

(Decision No. 66089)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
A. J. Smithwick)
308 W. North Avenue) PUC NO. 6083-I
Lampasas, Texas)

October 15, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 15, 1965.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo

Howard S. Bjelland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 15th day of October 196 5.
et

(Decision No. 66090)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF DAVID N. STRAUSS, 6921 COLORADO BOULEVARD, COMMERCE CITY, COLORADO, FOR AUTHORITY TO EXTEND OPERATIONS UNDER PERMIT NO. B-6275.

APPLICATION NO. 21482-PP-Extension

October 18, 1965

Appearances: Marjorie M. Elliott, Commerce City, Colorado, for Applicant.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, David N. Strauss, Commerce City, Colorado, was authorized to operate as a Class "B" private carrier by motor vehicle for hire (Permit No. B-6275), authorizing transportation of:

> sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of 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; barnyard and natural fertilizer, refuse and waste material, from points of origin to points of destination, within a radius of 50 miles of points of origin; ready-mixed concrete, from supply points, to points within a radius of 50 miles of said supply points; coal from mines and supply points, to points within a radius of 50 miles of mines and supply points.

By the above-styled application, said permit holder seeks authority to extend operations under said Permit No. B-6275, to include the right to transport:

> logs, poles and timber products from forests to sawmills, places of storage, and loading points within a radius of 75 miles of said forests; rough lumber, from sawmills in said 75-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, Marjorie M. Elliott appeared and testified that she had been authorized to appear in behalf of her brother, David N. Strauss, who has had a family emergency and was not able to appear at the hearing; that her brother, the Applicant herein, if the proposed extended service herein sought is granted, will enter into special carriage contracts to provide needed and specialized service for certain shippers who have requested his proposed extended service; and that he has ample and suitable equipment, sufficient net worth and operating experience with which to render said service.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

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 to 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 David N. Strauss, Commerce City, Colorado, be, and hereby is, authorized to extend operations under Permit No. B-6275, to include the right to transport logs, poles and timber products from forests to sawmills, places of storage, and loading points within a radius of 75 miles of said forests; rough lumber, from sawmills in said 75-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 this Order is made part of the permit granted to Applicant.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 18th day of October, 1965.

et

(Decision No. 66091)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF WILLIAM L. PRICKETT, PLAINVILLE, KANSAS, FOR AUTHORITY TO TRANSFER INTERSTATE OPERATING RIGHTS TO PRICKETT & SON, INC., PLAINVILLE, KANSAS.

PUC NO. 2142-I-Transfer

October 18, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, William L. Prickett. Plainville, Kansas, was granted a certificate of public convenience and necessity, PUC No. 2142-I, authorizing transportation:

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

Said certificate-holder now seeks authority to transfer said PUC No. 2142-I to Prickett & Son, Inc., Plainville, Kansas.

Inasmuch as the records and files of the Commission fail to disclose any reason why said transfer should not be authorized, the Commission states and finds that the proposed transfer is compatible with the public interest and should be authorized, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That William L. Prickett, Plainville, Kansas, be, and hereby is, authorized to transfer all right, title and interest in and to PUC No. 2142-I -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Prickett & Son, Inc.,

Plainville, Kansas, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended, and subject to encumbrances, if any, against said certificate approved by this Commission.

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 October, 1965.

et

(Decision No. 66092)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF JESSE L. SUMMERS, DOING BUSINESS AS "RICO MERCANTILE," RICO, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE AS A COMMON CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 21074
SUPPLEMENTAL ORDER

October 18, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On May 11, 1965, the Commission entered its Decision No. 64987, granting to Applicant herein a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire.

The Commission is in receipt of a communication from the above-styled applicant stating that he no longer has use for said operating rights 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 by Decision No. 64987, dated May 11, 1965, be, and the same hereby are, cancelled and revoked upon request of Jesse L. Summers, doing business as "Rico Mercantile," the owner thereof.

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 October, 1965
et

(Decision No. 66093)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF PAUL A. SALE, DOING BUSINESS AS "FAST TAXI SERVICE," 747 SOUTH EIGHTH STREET, MONTROSE, COLORADO, FOR AUTHORITY TO SUBLEASE A PORTION OF PUC NO. 1648 TO JACK D. ALLISON, SILVERTON, COLORADO. (SAID OPERATING RIGHTS BEING OWNED BY RONALD LEE POWELL AND VELTA POWELL, AND OPERATED BY PAUL A. SALE UNDER LEASE PURSUANT TO AUTHORITY CONTAINED IN DECISION NO. 59130, DATED AUGUST 22, 1962.)

APPLICATION NO. 21196-Lease
SUPPLEMENTAL ORDER

October 18, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On August 10, 1965, the Commission entered its Decision No. 65538, authorizing Paul A. Sale, doing business as "Fast Taxi Servic," Montrose, Colorado, to sublease a portion of PUC No. 1648 to Jack D. Allison, Silverton, Colorado, said portion of PUC No. 1648 being the Montrose-Ouray Sightseeing Authority.

The Commission is now in receipt of a communication from Brooks and Miller, Attorneys for Applicants, stating that the lessee does not desire to accept the terms of Decision No. 65538, and does not desire to proceed with the lease; that the lessor has canceled and terminated the lease; and requesting that the Commission cancel said lease.

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. 65538, dated August 10, 1965, be, and the same hereby is vacated, set aside, and held for naught.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 18th day of October, 1965.

et

(Decision No. 66094)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF BOURDETTE BRYANT AND WILMA M. BRYANT, DOING BUSINESS AS "BRIGHT-ON-NORTHGLEN CAB," 151 SOUTH 16TH AVENUE, BRIGHTON, COLORADO.

PUC NO. 1791

October 18, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

A written request from the above carrier has been received for a waiver from the Commission of its Rule relating to the filing of cash or a surety bond, concerning C.O.D. shipments.

Upon full consideration of the matter the Commission states and finds that to grant the request will not be in the public interest and should be denied.

O R D E R

THE COMMISSION ORDERS:

That the request above referred to 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 18th day of October, 1965.

et

(Decision No. 66095)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DENVER-COLORADO SPRINGS-PUEBLO MOTOR-)
WAY, INC., 2450 CURTIS STREET, DENVER)
COLORADO, FOR A CERTIFICATE OF PUBLIC) APPLICATION NO. 21402-Extension
CONVENIENCE AND NECESSITY AUTHORIZING)
EXTENSION OF OPERATIONS UNDER PUC NO.)
48.)

October 15, 1965

Appearances: John R. Barry, Esq., Denver, Colorado, for Applicant;
Louis Johnson, Esq., Colorado Springs, Colorado, for Colorado Springs Coach Company;
Ben S. Wendleken, Esq., Colorado Springs, Colorado, for Pikes Peak Automobile Company;
David Butler, Esq., Denver, Colorado, for Colorado Transportation Company, Colorado Motorway, Inc., and Denver-Boulder Bus Company.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On September 16, 1965, the Commission entered its Decision No. 65886 in the above-styled application.

On October 6, 1965, "Petition for Rehearing," was filed with the Commission by Protestants, Colorado Transportation Company, Colorado Motorway, Inc. and Denver-Boulder Bus Company, by their attorneys.

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

O R D E R

THE COMMISSION ORDERS:

That "Petition for Rehearing," filed with the Commission by Protestants herein by their Attorneys on October 6, 1965, be, and the same hereby is, granted.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER RALPH C. HORTON
NOT PARTICIPATING

Dated at Denver, Colorado,
this 15th day of October, 1965.

(Decision No. 66096)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF YOUNGER BROTHERS-J. M. ENGLISH TRUCK LINES, INC., 4904 GRIGGS ROAD, HOUSTON, TEXAS, TO TRANSFER INTER-STATE OPERATING RIGHTS TO YOUNGER TRANSPORTATION, INC., 4904 GRIGGS ROAD, HOUSTON, TEXAS.

PUC NO. 2482-I-Transfer

October 18, 1965

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, Younger Brothers - J. M. English Truck Lines, Inc., Houston, Texas, were granted a certificate of public convenience and necessity (PUC No. 2482-I), authorizing operation as a common carrier by motor vehicle for hire:

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

Said certificate-holder now seeks authority to transfer said PUC No. 2482-I to Younger Transportation, Inc., Houston, Texas.

Inasmuch as the records and files of the Commission fail to disclose any reason why said transfer should not be authorized, the Commission states and finds that the proposed transfer is compatible with the public interest, and should be authorized, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Younger Brothers-J. M. English Truck Lines, Inc., Houston, Texas, be, and hereby are authorized to transfer all right, title, and interest in and to PUC No. 2482-I -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Younger Transportation, Inc., Houston, Texas.

That transfer herein authorized is subject to encumbrances , if any, against said certificate approved by this Commission, and subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 18th day of October, 1965.

et

(Decision No. 66097)

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.

October 20, 1965

S T A T E M E N T

BY THE COMMISSION:

The records of the Commission show that the corporations, partnerships, and/or persons listed in the Order part of this Decision have paid to the Commission a filing fee for a Commercial (private) Carrier Permit to operate over the highways of the State of Colorado.

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

(a) Failure to file completed application.

(b) Failure to 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 this 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 applicatication 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.

Aero Equipment Corp.	940 W. Hampden Ave.,	Englewood, Colo.
Emil Anich	704 Jackson	Casper, Wyo
Charles Archuleta	2300 E Main	Farmington, N.M.
Arrow Tire Sales	401 Front St	Florence 81226
L.C.Black Wholesale Supplies	6309 Lawrence	Amarillo,Tex 79106
Neal Randolph Black	305 Oak St.	Windsor 80550
Burd's OK Rubber Welders Inc.	1912 Main	Goodland, Kans.
C & L Supply Co.	20 N. Wacker Dr.	Chicago,Ill.
Calco Mining Co.Inc.		Silverton,Colo.
Jose P. Carillo	Monero Rt.	Monero, N.M
Robert M. Collicot	213 Ford St.	Golden, Colo.
Commercial Bldg. Maintenance	5532 So. Grant	Littleton, 80120
Commercial Lumber Sales	Box 2797	Little Rock,Ark.
Consolidated Distributing Co.	133 N. 1st.W.,	Salt Lake City 84115
Cox's Market	Rte. 2,	Canyon, Tex.
Luis DeLuna	Rt 4 Box 223	San Antonio,Tex.
Denargo Produce Co.	8434 Rockford Dr.	Houston, Tex.77033
Juam Samuel Duran	Box 455	Espanola, N.M.
Mucio Duran	1505 13th St.	Carrizo Spgs, Tex
W. C. Epperson	1900 N. Nelson	Pampa, Texas
Higino Flores	3325 Bokachica Blvd.,	Brownville,Tex
H. M. Ford	2919 Linfield Dr.,	Dallas, Tex.75216
Morris Forgery	Box 14	Wheaton, Mo
Foster Feed & Seed Co.	PO Box 206	Kenedy,Tex
Foster Wholesale		Tribune, Kans.
G. F. Garage & Auto Wrecking	18350 E. 14th Sv	Aurora, 80010
Pete A. Gagliano	4710 W. 10th Ave.,	Denver 80220
Joe B. Gallegos	Box 217	Center, Colo
Heath Engineering Co.	100 Ft.Collins Industrial Park,	Ft Collins 80521
Joe Henry Hill	621 E. Wichita	Russell, Kans.
Hosick Sand	2828 N Cascade	Colo. Springs 80900
Howard Cattle Co.		Walden 80480
Howell's Dept. Stores	8500 W. Colfax	Lakewood 80215
Jackson Trucking	Bx 671	Sunset, Tex
Tony Fagundo Jaquez	Rt 1 376 Red Canon	Canon City 81212
Clifford Dale James	Rte 2	Rocky Ford 81067
K & D Auto Parts Wrecking	Box 464	Woodland Park 80863
Charles E. Keefauner	Star Route	Bellvue, Colo.
Konoco Oil Co.	111 N. Broadway	Cortez 81321
Wm. Kremheller	1225 W. 7th	Broomfield 80020

L & L Ready Mix	Box 156	Haxtun 80630
Lahm Heating, Inc.		Ft Collins 80521
Ly les Scales Co.	2403 W 5th	Plainview, Tex
Maddux Produce	2602 Carlisle N E	Albuquerque, N M
McKee Co.	P O Box "W"	Collegedale,Tenn
Paul Miller Fruit & Produce	613 - 30th Rd	Grand Junction 81501
Minuteman Distributing Co	725 So 41st	Boulder 80301
Pheister & Dockter,Inc.	112 N. Main	Plentywood, Mont
Eugene I. Place	2462 Broadway	Grand Junction, Colo.
Joe V. Romero, Jr.	P O Box 608	Walsenburg 81089
G. R. Rusk	521 W. Ciara	Iowa Park, Tex
The Shell Shop	210 5th St.,	Sioux City, Ia
Specialized Floor Co.	5071 So. Meade	Littleton 80120
Steamboat Auto Wreckers	Box 1025	Steamboat Spgs, Colo
H. E. Sullivan	6640 E. 73rd Pl.	Commerce City, Colo
Wm. Robt. Tolen	2415 Wheeler	Colo Spgs 80900
G. H. Trimmer	Rte 1	Decatur, Tex
Valdez & Gonzales Produce	2520 Airline Dr.,	Houston, Tex 77009
Valley Propane, Inc.,	Box 4337	Silverthorne 81433
Vesely Co.	2101 N Lapeer Rd	La Peer, Mich.
Rudolph Villasana	7104 Courtland	Dal as,Tex
Western Market	Hwy 30,W.Kimball	Kimball, Nebr,
Lou F. Wewel	Star Route	New Port, Nebr.
Willie Whatley	1915 Adams	La Junta 80150
Mansel L Willingham	Rte 3	Athens, Tex
World of Sleep, Inc.	755 Sheridan	Denver, Colo

This Order shall become effective ten days from date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 20th day of October, 1965.

et

(Decision No. 66098)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF MILTON D. LACEY, DOING BUSINESS AS "LACEY'S COAL & TRANSFER," ROUTE 1 PAONIA, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 21528-PP

October 19, 1965

Appearances: Milton D. Lacey, 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 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.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the District Court Room, Court House, Montrose, Colorado, October 13, 1965, and at

the conclusion of the evidence, the matter was taken under advisement.

Milton D. Lacey testified that he has had over fifteen years' experience in the operation of trucks and has operated his own trucking business for the past five years under an "M" permit issued by this Commission. He has two dump trucks which he will utilize to render services if the authority sought herein is granted. He is familiar with the rules and regulations of the Commission and the statutes of the State of Colorado and will comply therewith if this authority is granted.

No one appeared in opposition to the granting of authority.

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 Milton D. Lacey, doing business as "Lacey's Coal & Transfer," Paonia, 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 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 construc-

tion 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 applicant has filed a statement of customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured authority sheets.

That 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 19th day of October, 1965.

et

(Decision No. 66099)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF JOHN H. STURGIS, DOING BUSINESS AS "STURGIS LOGGING," P. O. BOX 533, PAONIA, COLORADO, FOR AUTHORITY TO TRANSFER PERMIT NO. B-6503 TO RONALD D. SWIFT, DOING BUSINESS AS "SWIFT TRUCKING," 1217 SOUTH 5TH, MONTROSE, COLORADO.	APPLICATION NO. 21430-PP-Transfer

October 20, 1965

Appearances: Ronald D. Swift, Montrose, Colorado, pro se;
Daisy Mae Sturgis, Paonia, Colorado, for John H. Sturgis, Transferor.

S T A T E M E N T

BY THE COMMISSION:

John H. Sturgis, doing business as "Sturgis Logging," Paonia, Colorado, is the owner and operator of Permit No. B-6503, authorizing:

> "Transportation of logs, poles and timber products, from forests to sawmills, places of storage, and loading points within a radius of 100 miles of said forests; rough lumber, from sawmills in said 100-mile radius to markets in the State of Colorado (no town-to-town service);"

and by the instant application seeks authority to transfer said Permit No. B-6503 to Ronald D. Swift, doing business as "Swift Trucking," Montrose, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the District Court Room, Court House, Montrose, Colorado, October 13, 1965, and at the conclusion of the evidence, the matter was taken under advisement.

Daisy Mae Sturgis testified that she is the wife of John H. Sturgis and has been directed by her husband to represent him in this transfer proceeding. John H. Sturgis is the owner of Permit No. B-6503 and has entered into an oral agreement to sell, transfer, and convey said authority to Ronald D. Swift. Sturgis has already received the purchase price. All debts have been paid and he requests that the transfer be approved.

Ronald D. Swift testified that he has entered into an agreement to purchase Permit No. B-6503 from John H. Sturgis and has paid the purchase price therefor. Swift stated that he has had some nine years' experience in truck operation, and that he worked as a driver for Sturgis for some years. He has a truck and log trailer which he plans to utilize to render services if the authority sought herein is granted. He is familiar with the rules and regulations of the Commission and the statutes of the State of Colorado and will comply therewith if the authority should be granted. Temporary authority was issued to Swift on July 2, 1965 and he has been operating under such temporary authority since that time.

No one appeared in opposition to the proposed transfer.

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

F I N D I N G S

THE COMMISSION FINDS:

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

O R D E R

THE COMMISSION ORDERS:

That John H. Sturgis, doing business as "Sturgis Logging," Paonia, Colorado, be, and hereby is, authorized to transfer all right, title, and interest in and to Permit B-6503, to Ronald D. Swift,

doing business as "Swift Trucking," Montrose, Colorado, subject to encumbrances, if any, against said authority 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, against the 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 20th day of October, 1965

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