

(Decision No. 77960)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
SAM ROTH)
BOX 49)
LA SALLE, COLORADO 80645)

PERMIT NO. B-6613
SUPPLEMENTAL ORDER

June 16, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, the Commission authorized the above-named carrier to suspend operations under the above-entitled authority.

The files and records of the Commission disclose that said carrier has failed to request in writing reinstatement of said authority as provided in the suspension Order, and that said carrier has been previously duly notified by the Commission of such failure.

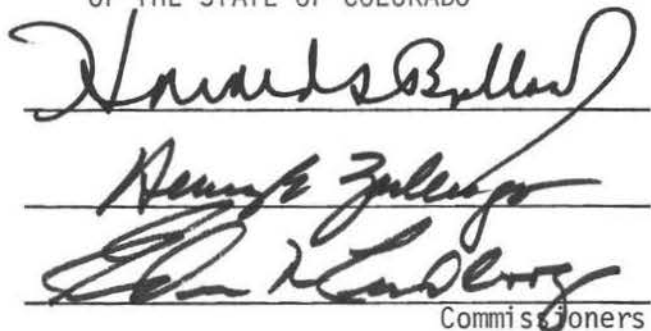
The Commission states and finds that said above-entitled authority should be cancelled and revoked as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled and revoked as of May 29, 1971.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado
this 16th day of June, 1971.
hbp

(Decision No. 77961)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
EVERETT KRAFT
Route 2, Box 208
Pueblo, Colorado 81004

AUTHORITY NO. M 10000

CASE NO. 6554-M-Ins.

June 15, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On January 25, 1971 , in the above-entitled Case, the Commission entered its Order revoking the above authority for failure to maintain effective insurance on file with the Commission.

The records of the Commission now disclose that proper insurance filing has been made.

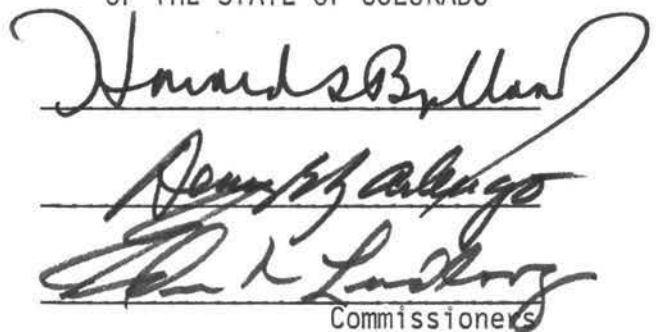
The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

O R D E R

THE COMMISSION ORDERS:

That the herein 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 15th day of June, 1971

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF THE)
DIVISION OF HIGHWAYS - STATE OF COLORADO)
FOR AUTHORITY TO CONSTRUCT, OPERATE AND)
MAINTAIN HIGHWAY/RAILROAD GRADE SEPARA-)
TIONS AT MILEPOSTS 368.09 AND 371.51 AND)
TO CONSTRUCT, OPERATE AND MAINTAIN A)
PUBLIC ROAD GRADE CROSSING AT MILEPOST)
369.87, ALL LOCATED ON THE DENVER/SALT)
LAKE CITY MAINLINE OF THE DENVER AND RIO)
GRANDE WESTERN RAILROAD COMPANY AND)
PERTINENT TO NEW HIGHWAY CONSTRUCTION)
AS A FEATURE OF ROUTE 70 OF THE NATIONAL)
SYSTEM OF INTERSTATE AND DEFENSE HIGH-)
WAYS, GARFIELD COUNTY, STATE OF COLORADO.)

APPLICATION NO. 24151

- - - - -
June 21, 1971
- - - - -

S T A T E M E N T

BY THE COMMISSION:

On January 7, 1970, the Division of Highways of the State of Colorado (Division) filed its application in accordance with the rules of this Commission seeking approval for the construction, operation and maintenance of the following:

1. Twin bridges providing a highway/railroad grade separation of the arterial lanes of Interstate Route 70 to overpass the railroad at Milepost 368.09 near Chacra.
2. A single bridge providing a highway/railroad grade separation for the "New Castle Interchange" at Milepost 371.51.
3. A highway/railroad grade crossing protected with reflectorized crossbucks and warning signs for a new public road to be constructed at Milepost 369.87.

Other explanatory material as submitted with the instant application is a series of Exhibits A, B, C, D, and E to show details of alignments, profile grade lines and cultural features as noted; and other data of structure clearances, dimensions, elevations, design specifications and foundation data for the new structures and crossing work.

Also received on January 13, 1970, as a late-filed exhibit is a conforming copy of the Agreement, dated September 29, 1969, between Division of Highways - State of Colorado and The Denver and Rio Grande Western Railroad Company pertaining to performance, maintenance, costs and other terms of the proposed work.

With reference to the instant application and other investigation data, Interstate Route 70 as involved in this application is a part of the National System of Interstate and Defense Highways. It is designated to cross the State of Colorado in an east-west direction by means of new construction work and improvement of existing highways via: Burlington, Limon, Denver, Georgetown, Dillon, Dowd, Eagle, Grand Junction and Mack, Colorado. Construction work is progressing as a series of separate projects across the state with the proposed work being located along the Colorado River westerly some 12 miles from Glenwood Springs between Chacra and New Castle.

The Colorado River flows in a general westerly direction from Glenwood Springs to New Castle and is bordered by mountains extending into the White River National Forest. In this region the river is also paralleled by U.S. Highway 6 & 24 and the Rio Grande main line to Salt Lake City, Utah. In order to secure adequate space and more direct alignment for the four-lane Interstate Freeway, new separation structures at the rail line and relocation of a private access road are proposed as follows:

LOCATION

Railroad Milepost	Highway or Road	Item or Structure	Exhibit No.	Minimum Clearances		Protection
				Horiz.	Vert.	
368.09 (Chacra)	I-70	Twin highway bridges of 201 feet, 36' separation space, 38' decks - 2 lanes. Crossing above: Old U.S. 6 & 24, 1 - Main track 1 - Passing track	A, B	18.5'	23.0'	Crashwalls
369.87	"Road W" grade crossing	Access to Williams' private property over single main line track.	E	New grade crossing at 24 feet wide.		Crossbuck signs
371.51	New Castle Interchange	Single bridge of 134.8' 38' deck - 2 lanes. Crossing above: 1 - Main Track Future track to be added.	C, D	11.5'	23.5'	Crashwalls
NOTE: Minimum PUC clearances are: At railroads				8.5'	22.5'	

On the Interstate routing a separation of grades is required at intersections of the Freeway with other roads or railroads. The proposed overpass structures have been designed in accordance with current construction standards as adopted by the American Association of State Highway Officials, accepted and approved by the U.S. Department of Transportation, the Bureau of Public Roads and the Colorado Division of Highways. Since intersections or crossings at grade are not acceptable on the Interstate routes, no standards pertaining to railroad grade crossings have been specified.

With reference to the Interstate 70 overpass (MP 368.09), it is expected there will be some 9,000 vehicles per day over the new Freeway in 1989. Construction of the New Castle Interchange (MP 371.51) will provide diamond-type ramps to and from the Interstate roadways. It will include a bridge over the Colorado River for connection with a local access road along the south side of the river, and will also provide the instant overpass above the Rio Grande main line. Vehicular traffic use is estimated at some 1,380 vehicles per day. Traffic on "Road W" as access to private properties on south side of the Freeway system is estimated to be less than ten (10) vehicles per day. A steel arch bridge above the Interstate roadways will provide separation of the private road and Interstate traffic. A public road crossing at grade over the Rio Grande main line is proposed at MP 369.87.

Operations by The Denver and Rio Grande Western Railroad Company now amount to 22 scheduled trains daily at maximum speeds of 60 miles per hour over the main line trackage between Glenwood Springs and New Castle.

The Division of Highways estimate of expenditures from federal and state highway funds for the proposed work is as follows:

<u>ITEM</u>	<u>MILEPOST</u>	<u>*BRIDGE COSTS</u>	<u>RAILROAD FLAGGING</u>	<u>RAILROAD FORCE ACCOUNT</u>	<u>TOTAL</u>
I-70 Overpass	368.09	\$231,716	\$ 6,250	\$ 6,309	\$244,275
New Castle Bridge	371.51	53,146	3,750	5,534	62,430
"Road W" Crossing	369.87	---	500	1,945	2,445
		<hr/>	<hr/>	<hr/>	<hr/>
TOTALS		\$284,862	\$10,500	\$13,788	\$309,150

*Excludes roadways - Includes 10% for construction engineering and contingencies.

Meanwhile, the Commission has forwarded a copy of the instant application, together with a Notice, to interested parties, to the Board of Garfield County Commissioners, to the Mayor, Town of New Castle, and to owners of adjacent property in the area. Said Notice was to ascertain if any other action should be considered within the period of thirty (30) days as designated in said Notice. No adverse reply has been received by the Commission.

In further consideration of the new construction items, objections of the Commission staff pertaining to location and vision hazards of the proposed "Road W" public grade crossing were submitted to Division of Highways for additional review and consideration. Thereafter, correspondence dated April 1, 1971, in behalf of the adjacent property owner was received by Division of Highways. Request was made for fencing and a gate which the owner would lock, and thereby prevent the possibility of any unauthorized person using the property access crossing. In correspondence of May 6, 1971, Division of Highways notified the Commission as follows:

"We shall have fencing constructed along the north side of the railroad tracks and shall install a gate, as specified in the attached letter.

"We hope this solution satisfies the concern you expressed about safety aspects at this crossing."

It is to be noted from the above, that use of the crossing remains as a private function, and the roadway is in the nature of a private way with restricted use rather than a public highway.

After consideration of the instant proposal and in view of the conformity with Interstate design standards to meet increasing traffic volumes and the further consideration of local needs, it becomes apparent that construction of the new highway and the related structures are necessary for the continued safety and convenience of the general public and the railroad operations in the area.

It is therefore the belief of the Commission that the proposed work is compatible with the public interest, and pursuant to Chapter 115-6-9(5), CRS 1963, as amended, the Commission determined to hear, and has heard, said matter forthwith, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

From the records and files herein, the Commission is informed in the matter and finds as follows:

1. That Notice of the proposed structures and related road work pertaining to construction of Interstate Route 70 has been given by the Commission to interested parties, and no protest in the matter has been received.
2. That the public safety, convenience and necessity require and will be served by the new work as proposed herein.
3. That horizontal and vertical clearances with respect to the instant railroad trackage for the proposed highway overpass structures exceed the clearance requirements established by the Commission, and are therefore acceptable.
4. That the proposed construction of "Road W" as access to the Williams' properties is in the nature of a private way with a gate and lock, and the road crossing at Milepost 369.87 is not a public crossing.
5. That approval for the authority being sought in the instant application should be granted by initial decision of the Commission since due and timely execution of its functions imperatively and unavoidably so requires.

O R D E R

THE COMMISSION ORDERS:

1. That Applicant, the Division of Highways, State of Colorado, be, and it hereby is, granted authority and approval for the following:

A. Installation, construction, operation and maintenance of highway overpass structures crossing the rail line and right-of-way of The Denver and Rio Grande Western Railroad Company at:

(1) Milepost 368.09 (Chacra)

Twin highway bridges for I-70 Freeway

(2) Milepost 371.51

Single highway bridge for New Castle Interchange.

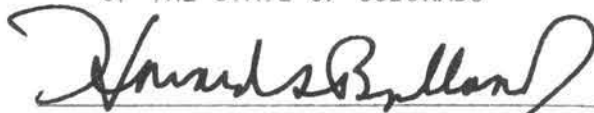
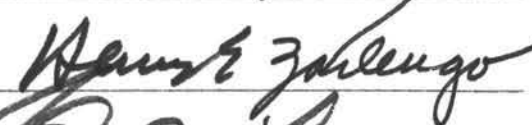
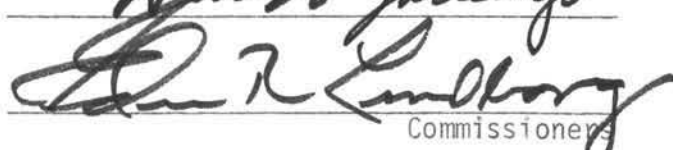
B. Construction of "Road W" as a private way to provide access for authorized persons to private properties of the Williams' estate; wherein said access is controlled by means of a locked gate, and the grade crossing at Milepost 369.87 is a private grade crossing subject to customary private understandings or agreement between The Denver and Rio Grande Western Railroad Company and owners of private property involved;

all as located in Garfield County and westerly from Glenwood Springs, Colorado.

2. That the new work to be done, costs, installation, maintenance, and other improvements as approved herein, shall be in accordance with the Agreement and Exhibits A, B, C, D, and E, all of which by reference are made a part hereof.

3. That this Order shall become effective forthwith as the initial decision of the Commission.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
21st day of June, 1971.
vjr

(Decision No. 77963)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF INCREASED RATES AND)	
CHARGES APPLICABLE TO LOCAL CARTAGE)	
BETWEEN POINTS WITHIN THE METROPOLITAN)	INVESTIGATION AND SUSPENSION
AREAS OF DENVER, BOULDER, BRIGHTON,)	DOCKET NO. 677
COLORADO SPRINGS, AND PUEBLO, AS)	
DESCRIBED; AND BETWEEN POINTS WITHIN)	
THE CITIES OF CANON CITY, DURANGO,)	ORDER OF CHRISTIAN O. IGENBERGS,
DELTA, GRAND JUNCTION, LONGMONT, MONTE)	EXAMINER, CONTINUING AND RESETTING
VISTA, MONTROSE, OR STERLING, COLORADO.)	HEARING

- - - - -
June 16, 1971
- - - - -

Appearances: Joseph F. Nigro, Esq.,
Denver, Colorado, for
Common Carriers, Parties to
Local Cartage Tariff No. 15,
Colorado PUC No. 13, Respondents.
Lloyd C. Espinosa,
David H. Cross, and
Lawrence Abdoo,
Denver, Colorado, of the
Staff of the Commission.

STATEMENT AND FINDINGS OF FACT

BY THE HEARING EXAMINER:

Pursuant to notice, the above-captioned matter was called for hearing on June 14, 1971, at 10 a.m. in the Hearing Room of the Commission, Columbine Building, 1845 Sherman Street, Denver, Colorado, by Christian O. Igenbergs, the duly-appointed Examiner, at which time the above and foregoing parties entered their appearances, and Respondents proceeded with the presentation of their case. Mr. Espinosa requested that Respondents Colorado Cartage Company, Inc.; Weicker Transfer & Storage Company; U. S. Storage & Transfer; and Thomas & Son furnish to the staff the following documents, to-wit:

Colorado Cartage Company, Inc. -
Statement of Income and Expense, by function,
for the first five months of 1971;
Basis of 1971 projected figures for expense;
Basis of 1971 projected figures for income;

Weicker Transfer & Storage Company -
Statement of Income and Expenses, by function,
for the calendar year 1970;
Basis of 1971 projected figures for income;

U. S. Storage & Transfer -
Reworked Statement of Income and Expenses,
by function, breaking out of Intrastate
Local Cartage those items of Tariff 15
from other tariff items included within
the group total;

Thomas & Son -
Statement of Income and Expense, by function,
breaking out items of Tariff 15 from other
tariff items included within the one income
classification shown;

and further requested a continuance of the hearing of the herein matter on the grounds that the exhibits introduced by Respondents needed further study by staff. Counsel for Respondents agreed to so furnish the afore-said documents and further agreed to a continuance of the hearing. The Examiner, for good cause shown, granted the request of Mr. Espinosa.

O R D E R

THE EXAMINER ORDERS:

1. That I & S Docket No. 677 be, and hereby is, continued for hearing on July 1, 1971, commencing at 10 a.m. in the Hearing Room of the Commission, Columbine Building, 1845 Sherman Street, Denver, Colorado.

2. That Respondents Colorado Cartage Company, Inc.; Weicker Transfer & Storage Company; U. S. Storage & Transfer; and Thomas & Son be, and hereby are, ordered to furnish the following documents to the Secretary of the Commission on or before June 21, 1971, as follows, to-wit:

Colorado Cartage Company, Inc. -
Statement of Income and Expense, by function,
for the first five months of 1971;
Basis of 1971 projected figures for expense;
Basis of 1971 projected figures for income.

Weicker Transfer & Storage Company -
Statement of Income and Expenses, by function,
for the calendar year 1970;
Basis of 1971 projected figures for income.

U. S. Storage & Transfer -

Reworked Statement of Income and Expenses,
by function, breaking out of Intrastate
Local Cartage those items of Tariff 15
from other tariff items included within
the group total.

Thomas & Son -

Statement of Income and Expenses, by function,
breaking out items of Tariff 15 from other
tariff items included within the one income
classification shown.

3. That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Examiner
vjr

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION)
OF MILLER BROS., INC., 306 NORTH)
8TH AVENUE, P.O. BOX 1228,)
GREELEY, COLORADO, FOR A CERTIFI-)
CATE OF PUBLIC CONVENIENCE AND)
NECESSITY TO OPERATE AS A COMMON)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 23790

IN THE MATTER OF THE APPLICATION)
OF MILLER BROS., INC., P.O. BOX)
1228, GREELEY, COLORADO, FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY AUTHORIZING EXTEN-)
SION AND/OR CLARIFICATION OF PUC)
NO. 2251.)

APPLICATION NO. 24556-
Extension and/or Clarification

ORDER OF ROBERT L. PYLE, EXAMINER,
CONTINUING HEARING FOR THE TAKING
OF ADDITIONAL TESTIMONY.

- - - - -
June 16, 1971

Appearances: John H. Lewis, Esq., Denver,
Colorado, and
Henry Ellwood, Esq., Denver,
Colorado, for Applicant.
Leslie R. Kehl, Esq., Denver,
Colorado, for Bulk Transporters,
Inc.; Frederic A. Bethke, doing
business as "Bethke Truck Lines";
Ward Transport, Inc.; Ruan Transport
Corporation; Groendyke Transport,
Inc.; and Petco Inc. of Colorado,
Protestants.
John P. Thompson, Esq., Denver,
Colorado, for Denver-Laramie-
Walden Truck Line, Inc.; Denver-
Loveland Transportation, Inc.;
Edson Express, Inc.; Overland
Motor Express, Inc.; doing business
as "Boulder-Denver Truck Line,"
Protestants.
William T. Secor, Esq., Longmont,
Colorado, for Golden Transfer
and Sorenson Transfer, Protestants.

STATEMENT AND FINDINGS OF FACT

BY THE EXAMINER:

The above-captioned applications, pursuant to agreement of the
parties, were heard on a joint record commencing in Denver, Colorado, on

March 23, 1971, and continued thereafter for additional hearings in Denver, Longmont, Loveland, Greeley, and Fort Collins on various dates until Protestants rested their cases under date of May 6, 1971, in Denver, Colorado.

During the course of the hearing, the Examiner requested, and Applicant agreed to furnish, additional financial data, which was thought would be available by June 17, 1971. Your Examiner is now advised that said financial information is still in the process of being prepared and will not be ready by June 17, 1971, and Applicant therefore requests that the matter be continued to June 25, 1971. Protestants do not object to said continuance.

The Examiner finds that the hearing should be continued.


O R D E R

THE EXAMINER ORDERS:

1. Pursuant to request of Applicant, this matter is continued for the taking of additional testimony from Applicant and particularly the financial data requested by the Examiner together with any rebuttal testimony that Applicant may have, to Friday, June 25, 1971, at 10 a.m., in the Hearing Room of the Commission, Columbine Building, 1845 Sherman Street, Denver, Colorado.

2. This Order shall be effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Examiner
rw/hbp

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
ELMER REICHERT, BARBARA ROBBINS AND)	
BEVERLY CLARK ON BEHALF OF THEMSELVES)	
AND OTHERS SIMILARLY SITUATED FOR AN)	
ORDER AUTHORIZING UNION RURAL ELECTRIC	)	APPLICATION NO. 24923
ASSOCIATION, INC. TO RENDER STREET)	
LIGHTING SERVICE PURSUANT TO PUC)	
TARIFF NO. 2 - ELECTRIC IN AN)	
UNINCORPORATED AREA IN ADAMS COUNTY.)	

June 16, 1971

Appearances: Elmer Reichert, Route 2, Box 472
Broomfield, Colorado;
Beverly Clark, Route 2, Box 715,
Broomfield, Colorado;
Barbara Robbins, 4220 West 136th Avenue
Broomfield, Colorado, for themselves
and Petitioners;
Robert R. Lessing, Office Manager,
Union Rural Electric Association, Inc.
Brighton, Colorado, for Union;
L. K. Christolear, Denver, Colorado,
of the Staff of the Commission.

PROCEDURE AND RECORD

On April 14, 1971, Applicants herein filed with the Commission the above-entitled application seeking an order from the Commission authorizing Union Rural Electric Association, Inc. (Union), to provide street lighting service in an unincorporated subdivision known as Sunny Slope Estates, in Adams County, State of Colorado.

After due and proper notice to all interested parties, the application was set for hearing on Monday, June 7, 1971, at 10 o'clock a.m. in the hearing room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at which time and place the matter was heard by Examiner Robert L. Pyle. No protests were filed with regard to this Application, and no one appeared at the hearing in opposition to the granting of the authority sought.

Filed with the application was a petition bearing thirty (30) signatures representing 56.6% of the customers being served by Union in Sunny Slope Estates. Also filed was a map showing the general area where street lights are to be installed.

Application lists Union Tariff, PUC No. 2 - Electric, Original Sheets 64 and 65, First Revised Sheets 124, 125, 126 and 127, currently on file with the Commission, as the tariffs under which service would be provided, as also set forth in the petition.

FINDINGS OF FACT

Based upon all the evidence of record, the Commission finds as fact:

That it has jurisdiction of the subject matter and of Union Rural Electric Association, Inc.

That the preservation of the public peace, health and safety requires the installation of a street lighting system in the unincorporated subdivision of Sunny Slope Estates, hereinafter described in the Order to follow.

That the Commission finds upon the record that due and timely execution of its functions imperatively and unavoidably requires that the recommended decision of the Hearing Examiner be omitted and the initial decision be made by the Commission as provided by 115-6-9 (6), CRS 1963, as amended.

O R D E R

THE COMMISSION ORDERS THAT:

1. Union Rural Electric Association, Inc., be, and hereby is, authorized and directed to install, operate and maintain ten (10), non-ornamental, 7,000 lumen, mercury vapor street lights as a street lighting system in accordance with the provisions of its Tariff Colorado PUC No. 2 - Electric, Original Sheets 64 and 65, First Revised Sheets 124, 125, 126 and 127, now existing or as the same may be changed under the rules of this Commission or according to law.

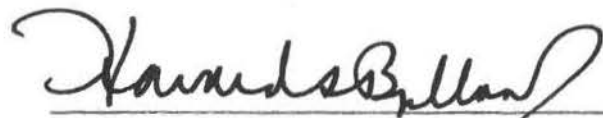


2. The street lights, ten in number, shall be installed in the area bounded as follows:

SUNNY SLOPE ESTATES in Adams County is a subdivision located in the N 1/2 of the NE 1/4, Sec. 30, T 1 S, R 68 W of the 6th P.M., more particularly described as follows: All of the N 1/2 of the NE 1/4 of said Section 30 except the North 30 feet thereof, and except the East 30 feet of the North 713.65 feet thereof, and except the South 608 feet of the East 388.22 feet thereof. Together with SUNNY SLOPE ESTATES FILING NO. 2 in Adams County which is located in the SE 1/4, Sec. 19, T 1 S, R 68 W of the 6th P.M. and is more particularly described as follows: Beginning at a point which is 30 feet North of the SW corner of said SE 1/4, Sec. 19; thence N 1,509 feet; thence S 52°29'15" E, 49.50 feet, thence S 71°26'15" E, 372 feet; thence S 59°16'15" E, 85 feet; thence S 68°16'15" E, 250 feet; thence S 42°46'15" E, 70 feet; thence S 54°46'15" E, 174 feet; thence S 40°16'15" E, 250 feet; thence S 26°46'15" E, 150.04 feet; thence S 37°16'15" E, 450 feet; thence S 62°46'15" E, 150 feet; thence S 56°46'15" E, 145 feet, thence S 52°46'15" E, 144.65 feet; thence S 31°46'15" E, 130 feet; thence S 53°46'15" E, 86.9 feet; thence N 89°46'15" W, 1,896.98 feet to the point of beginning.

The recommended decision of the Hearing Examiner be, and hereby is, omitted and this Decision shall be the initial decision of the Commission as provided by CRS 1963, 115-6-9 (6).

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 16th day of June, 1971.
hbp

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	APPLICATION NO. 24979-PP-Extension
SEYMOUR C. STUURMANS AND LUELLA M.)	
STUURMANS, DOING BUSINESS AS "STU'S)	ORDER OF THE COMMISSION
UNLOADING SERVICE," 1034 SOUTH)	
UNIVERSITY BLVD., DENVER, COLORADO,)	
FOR AUTHORITY TO EXTEND OPERATIONS)	
UNDER CONTRACT CARRIER PERMIT NO.)	
B-4753.)	

- - - - -
June 17, 1971
- - - - -

It appearing, That by Order of the Commission dated May 12, 1971, notice of the filing of the above-entitled application was given to all interested persons, firms and corporations pursuant to CRS 1963, 115-6-8 (2);

It further appearing, That no protest, objection or petition to intervene or otherwise participate in the proceeding has been filed by any person within the time prescribed by the Commission in said Order, and that the herein proceeding is therefore noncontested and unopposed;

It further appearing, That pursuant to CRS 1963, 115-6-9 (5), the herein matter is one which may properly be determined without the necessity of a formal oral hearing and that the taking of evidence in this proceeding should be by reference to the verified application as filed with the Commission together with such additional information or data as may have been required of Applicants in connection with said filing, and the files and records of the Commission;

And it further appearing, That the evidence thus submitted amply warrants the grant of authority as hereinafter extended and ordered;

Wherefore, and good cause appearing therefor:

We find, That there is a present and special need for Applicant's transportation services as hereinafter extended and ordered;

We further find, That it does not appear that the grant of authority as hereinafter extended and ordered will impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes;

And we further find, That Applicants are fit, willing and able properly to perform the extended service as hereinafter granted and to conform to the applicable statutory requirements and the Commission's rules and regulations thereunder, and that an appropriate order should be entered; and

It is ordered, That Seymour C. Stuurmans and Luella M. Stuurmans, doing business as "Stu's Unloading Service," 1034 So. University Blvd., Denver, Colorado, be, and are hereby, authorized to extend operations under Contract Carrier Permit No. B-4753 to include the following:

"Transportation of

Hay

From all points located within an area comprised of the Counties of Routt, Moffat, Rio Blanco, and Grand, to all points located within the State of Colorado."

It is further ordered, That henceforth the full and complete authority under Contract Carrier Permit No. B-4753, as extended, shall read and be as follows, to wit:

"(1) Transportation of

Building materials

Between all points within the City and County of Denver, State of Colorado, and a fifteen (15) mile radius thereof.

(2) Transportation of

Hay

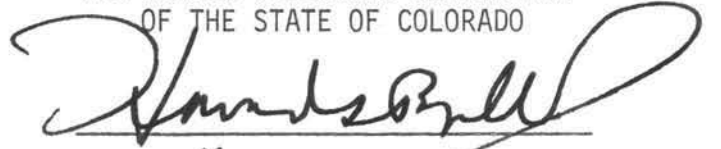


From all points located within an area comprised of the Counties of Routt, Moffat, Rio Blanco, and Grand, to all points located within the State of Colorado."

It is further ordered, That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this Permit as deemed advisable.

It is further ordered, That this Order is the Permit herein provided for, but it shall not become effective until Applicants have filed a statement of customers, the necessary tariffs, required insurance, and have secured authority sheets.

It is further ordered, That the right of Applicants to operate hereunder shall depend upon compliance with all present and future laws and rules and regulations of the Commission.

And it is further ordered, That this Order shall become effective twenty-one days from the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

Dated at Denver, Colorado,
this 17th day of June, 1971.

js

(Decision No. 77967)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JAMES R. COLBURN, BOX 52, KREMMLING,)
COLORADO, FOR EMERGENCY TEMPORARY)
AUTHORITY TO OPERATE AS A COMMON)
CARRIER BY MOTOR VEHICLE.)

APPLICATION NO. 24658-ETA
ORDER GRANTING EMERGENCY TEMPORARY
AUTHORITY

- - - - -
June 16, 1971
- - - - -

The above-entitled application under CRS 1963, 115-6-20(4),
being under consideration, and

It appearing, That appropriate application has been made to
this Commission for permanent operating authority.

It further appearing, That there is an immediate and urgent
need for the transportation service herein sought.

It further appearing, That failure to immediately grant emer-
gency temporary authority may result in the described area being without
a means of rubbish and garbage removal service and a serious health prob-
lem may ensue.

And it further appearing, That said circumstances constitute an
emergency requiring the immediate issuance of temporary authority.

It is ordered, That James R. Colburn, Box 52, Kremmling, Colorado,
be, and is hereby, granted emergency temporary authority for a period of
fifteen (15) days commencing June 16, 1971, as a common carrier by motor
vehicle, for the

"Transportation of

Ash, trash, and other refuse

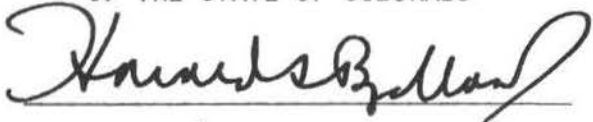
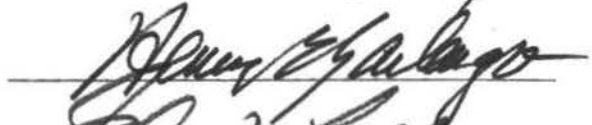
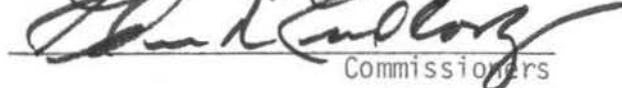
From all points located within Grand County, State
of Colorado, to designated and approved dumps and
disposal sites located within said county."

conditioned upon full compliance with all applicable statutory and Commission requirements, rules and regulations.

It is further ordered, That the service provided for in this Order shall not be commenced until all requirements have been met and Applicant has received notice in writing from the Commission that compliance has been effected and service may be instituted.

And it is further ordered, That the authority herein granted shall create no presumption that corresponding temporary or permanent authority will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
16th day of June, 1971.

vjr

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: PETITION OF COLORADO MOTORWAY,
INC., AND DENVER-BOULDER BUS COMPANY
FOR AUTHORITY TO INCREASE PASSENGER
FARES BETWEEN POINTS IN THE STATE OF
COLORADO

Application No. 25050

June 17, 1971

STATEMENT

BY THE COMMISSION:

On June 14, 1971, C. S. Dawson, Superintendent, Colorado Motorway, Inc., and Denver-Boulder Bus Company, filed an Application dated June 11, 1971, petitioning the Commission for authority to effect an adjustment in Colorado Intrastate Intercity Fares of ten (10%) percent, adjusted to the next higher "0" or "5", to become effective at the earliest possible date, and to be published in new or amended tariffs, or on a specific point to point basis. Petitioner further requests that said Application be heard on a consolidated record with the hearing set for August 18, 1971, Application No. 25040, Decision No. 77828, dated June 8, 1971.

Petitioner has based its request for the proposed increase upon the following:

- (a) The last general adjustment in Passenger Fares on the lines of Denver-Boulder Bus Company was effective February 20, 1965.
- (b) The last adjustment in the Passenger Fares on lines of Colorado Motorway, Inc., was effective June 15, 1970, and was only a partial adjustment.
- (c) Since effective dates of last adjustments in carriers' fares, the upward trend in the cost of labor and replacement of bus equipment as well as prices of materials and supplies, has continued, and carriers are confronted with still further increases in such costs. These conditions present a real threat to the maintenance and continuation of adequate and efficient Regular Scheduled Service for the travelling public, unless relief to the carriers is afforded in the form of increased revenues from adjusted fares.

F I N D I N G S

THE COMMISSION FINDS:

1. That this Application should be assigned for a public hearing whereby all concerned may be given an opportunity to inquire into the justness, reasonableness, and sufficiency of the proposed increase.

2. That Applicants should be notified and required to submit information and supporting data which shall include, among other things, Colorado intrastate actual cost and revenue data, including anticipated revenue, to show the effect of the proposed increase; Colorado intrastate operating ratios specifically related to the traffic and territories involved; overall Colorado intrastate and system operating ratios; detailed data to disclose Colorado carrier-affiliate financial and operating relationships and transactions; and, in addition, all pertinent evidence and supporting data for the individual carriers as they relate to their overall Colorado intrastate operations and, specifically, to Colorado intrastate traffic and territories involved.

3. That the data required to be submitted by Respondents shall include the following information:

A. A copy of the income statements of each carrier or Colorado affiliate for the years 1968, 1969 and 1970, and the first six months in 1971; prepared according to the Uniform System of Accounting as detailed in Section 1206 of the Code of Federal Regulations.

B. The Traffic studies to be submitted shall be based upon actual intercity operations conducted during identical periods of time for each carrier and the actual cost studies shall be based upon the operations of the same carriers as used in the traffic studies; and that the periods of time selected for such cost and traffic studies shall be shown to be representative and their selection statistically sound.

C. The traffic studies of such Intercity operations shall include the months of May, August, November, 1970 and January of 1971.

D. Information to be submitted shall include the Intercity

bus miles operated (loaded and empty), passenger miles operated, income derived, number of passengers carried intrastate Colorado and total intrastate and interstate data for the carrier and affiliate.

E. In order to assess the impact of transactions between the respondent carriers and their Colorado affiliates, the following data shall be submitted:

- (a) The names of each Colorado affiliate used by respondent in its motor carrier operation.
- (b) The kinds of service which each affiliate supplied.
- (c) The basis of charge for the service which each affiliate supplied.
- (d) The total charge to the respondent by each affiliate for such service to include, but not limited to, the following items:
 - (1) Lease of vehicles
 - (2) Lease of terminals
 - (3) Lease of other properties
 - (4) Furnishing of materials and supplies
 - (5) Vehicle repair
 - (6) Management of all kinds
 - (7) Property sold to Respondent by affiliate
 - (8) Insurance underwriting
- (e) The percentage revenue from the respondent of the affiliates total business where it had transactions with persons or corporations other than the respondent in 1970.
- (f) The income statement for each affiliate for the year 1970.
- (g) The amounts of wages, salaries, bonuses and other compensation paid by the affiliate to those individuals who also were officers or directors of the respondent.
- (h) Any other contract agreement or arrangement, written or unwritten, in effect at any time during 1970, between the respondent and companies or persons associated with the respondent, including officers, directors, stockholders, owners, partners, or wives and other close relatives of the aforementioned persons, or their agents, whereby the respondent received management, construction, engineering, financial, legal, accounting, purchasing, or other type of service including the furnishing of material and supplies, purchase of equipment, and the leasing of structures, land and vehicles.

F. All of the required data specified in the findings hereof shall be based upon and reflect the annual reporting period for the years 1968, 1969 and 1970, and the first six months of 1971. Five (5) copies of all documentary evidence to be presented by the Respondents shall be filed with the Secretary of the Commission twenty-one (21) days prior to the hearing date herein.

G. That Applicants' request for hearing, concurrent with Application No. 25040, Decision No. 77828, dated June 8, 1971, is compatible with the public interest and will be granted as provided in the Order following.

O R D E R

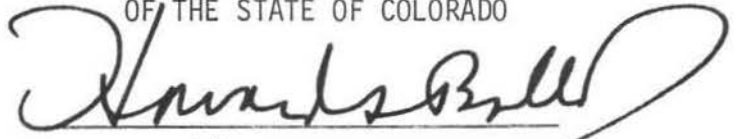


THE COMMISSION ORDERS:

1. That the Statement and Findings herein be, and they are hereby, made a part hereof.

2. That Applicants named herein shall submit evidence and supporting data and other information as set forth in the Findings herein. Copies of all such documentary evidence shall be filed with the Secretary of the Commission twenty-one (21) days prior to the hearing date specified in the next ordering paragraph.

3. That Application No. 25050, dated June 11, 1971, be, and the same hereby is, assigned for a public hearing on the 18th day of August, 1971, at 10:00 a.m., in the Hearing Room of the Commission, 507 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
17th day of June, 1971. av

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CHARLES McGHEE, DOING BUSINESS AS)
"T & W TRUCK LINE," P. O. BOX 2,)
OLNEY SPRINGS, COLORADO, FOR A) APPLICATION NO. 24875-Extension
CERTIFICATE OF PUBLIC CONVENIENCE AND)
NECESSITY AUTHORIZING EXTENSION OF)
OPERATIONS UNDER PUC NO. 369 IN)
INTERSTATE AND INTRASTATE COMMERCE.)

- - - - -
June 17, 1971
- - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On March 24, 1971, the above-entitled application was filed with the Commission and the matter set for hearing on Tuesday, June 22, 1971 at 10 a.m. in the Southern Colorado Power Division Office, Rocky Ford, Colorado.

On June 15, 1971, Applicant, by and through its attorney Robert G. Shepherd, Jr., filed a Motion for Continuance of the hearing set for June 22, 1971.

The Commission states and finds that the Motion for Continuance is in the public interest and should be granted and that the hearing set for June 22, 1971, be vacated.

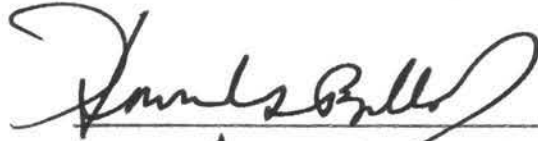
O R D E R


THE COMMISSION ORDERS THAT:

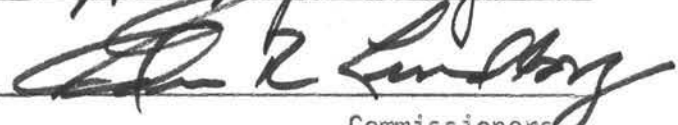
1. Motion for Continuance be, and hereby is, granted.
2. The hearing in the above-entitled application presently set for 10 a.m. on Tuesday, June 22, 1971, in the Southern Colorado Power Division Office, Rocky Ford, Colorado, be, and hereby is, vacated.

This Order shall be effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners

Dated at Denver, Colorado,
this 17th day of June, 1971.
hbp

(Decision No. 77970)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF

CLARENCE J. HATCH DBA
HATCH ELECTRIC
Post Office Box 85
Commerce City, Colo. 80022

AUTHORITY NO. M 7682

CASE NO. 7008-M-Ins.

June 16, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On May 24, 1971, in the above-entitled Case, the Commission entered its Order revoking the above authority for failure to maintain effective insurance on file with the Commission.

The records of the Commission now disclose that proper insurance filing has been made.

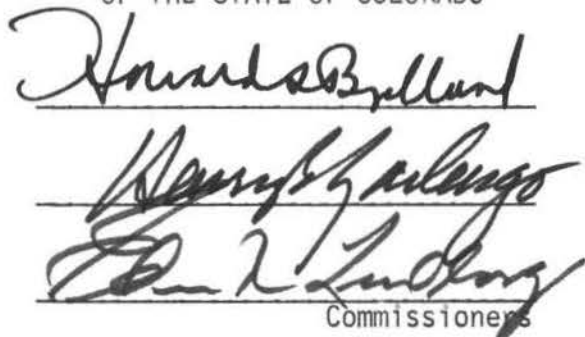
The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

O R D E R

THE COMMISSION ORDERS:

That the herein 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 16th day of June, 1971

(Decision No. 77971)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
KENNETH W. BROWN DBA
BROWNIE'S GARAGE
613 14th Street
Greeley, Colorado 80630

AUTHORITY NO. M 14585
CASE NO. 7029-M-Ins.

June 16, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On June 14, 1971 , in the above-entitled Case, the Commission entered its Order revoking the above authority for failure to maintain effective insurance on file with the Commission.

The records of the Commission now disclose that proper insurance filing has been made.

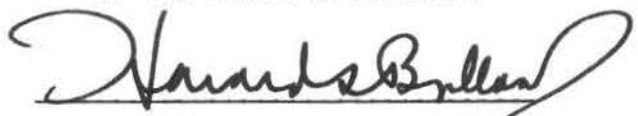


The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

O R D E R

THE COMMISSION ORDERS:

That the herein 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 16th day of June, 1971

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: INCREASED RATES AND CHARGES)
PUBLISHED AMENDMENT NO. 9, AND)
ITEM 420 (1) MINIMUM CHARGE,)
COLORADO MOTOR CARRIERS ASSOCIATION,)
AGENT, LOCAL AND JOINT CLASS AND)
COMMODITY TARIFF NO. 12-B, COLORADO)
PUC No. 19)
-----)

Investigation and Suspension
DOCKET NO. 686

June 17, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On May 27, 1971, J. R. Smith, Chief of Tariff Bureau, Colorado Motor Carriers' Association, Agent, filed the above named schedules published by the Association, to become effective July 1, 1971. Said schedules are set forth in Appendix "A" attached hereto.

The Commission is of the opinion, and so finds, that the increased rates and charges set forth herein may be in violation of the Public Utilities Law, and that the schedules shall be suspended and an investigation entered into and concerning the lawfulness of the rates and charges contained therein.

O R D E R

THE COMMISSION ORDERS:

1. That the Statement and Findings, and Appendix "A" attached hereto, be, and the same are hereby, made a part hereof.
2. That it shall enter upon a hearing concerning the lawfulness of the rates and charges set forth in the schedule enumerated in the Statement of this Order.
3. That the operation of said schedule be, and it is hereby, suspended and the use thereof deferred to and including October 28, 1971, unless otherwise ordered by the Commission.
4. That the investigation in this proceeding shall not be limited to the matters and issues hereinbefore stated for instituting

this investigation, but shall include all matters and issues with respect to the lawfulness of said schedules under the Public Utilities Law.

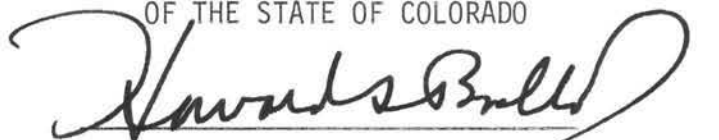
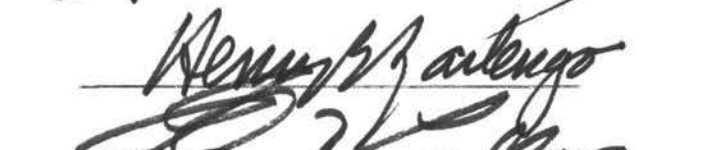

5. That neither the schedules hereby suspended nor those sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension or any extension thereof has expired, unless otherwise ordered by the Commission.

6. That a copy of this Order shall be filed with the schedules in the Office of the Commission, and that a copy hereof be served upon J. R. Smith, Chief of Tariff Bureau, Colorado Motor Carriers' Association, 4060 Elati Street, Denver, Colorado 80216, and that carriers participating in said Tariff be, and they are hereby, made Respondents in this proceeding. The necessary suspension supplement shall be issued, filed and posted to the respective tariff referred to in the Statement and Findings hereof.

7. That twenty-one (21) days prior to the hearing date herein, Respondents shall provide the Secretary of the Commission with copies of any and all exhibits which they intend to introduce in evidence in support of their case.

8. That this Investigation and Suspension Docket No. 686, be, and the same is hereby, set for hearing before the Commission, commencing on the 30th day of August, 1971, at 10:00 a.m., in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
17th day of June, 1971. av

APPENDIX "A"

Colorado Motor Carriers' Association, Agent
Local and Joint Class and Commodity Tariff
No. 12-B, Colorado PUC No. 19

Scheduled to become effective July 1, 1971

AMENDMENT NO. 9

NOTICE OF INCREASE IN RATES AND CHARGES

APPLICATION

PLAINS TERRITORY

1. ALL CLASS RATE BASES AND ALL COMMODITY RATES applying on shipments transported between points located in PLAINS TERRITORY, as described in Item 260 of this Tariff, are hereby increased as follows:

Less-than-truckload	20%
Minimum weight 1,000 pounds	20%
Minimum weight 2,000 pounds	20%
Minimum weight 5,000 pounds or over	5%

2. ALL CHARGES, other than minimum charges, class rates or commodity rates are hereby increased 6%.

MOUNTAIN TERRITORY

3. ALL LESS-THAN-TRUCKLOAD CLASS RATE BASES and ALL CLASS RATE BASES SUBJECT TO MINIMUM WEIGHTS OF 1,000 and 2,000 POUNDS applying on shipments transported from, to, or between points located in MOUNTAIN TERRITORY, as described in Item 260 of this tariff, are hereby increased 8%.

4. ALL COMMODITY RATES, except those with a stated minimum weight of 5,000 pounds or more, applying on shipments transported from, to, or between points located in MOUNTAIN TERRITORY, AS DESCRIBED IN Item 260 of this tariff, are hereby increased 8%.

5. ALL CHARGES, other than minimum charges, class rates or commodity rates are hereby increased 6%.

NOTE 1: Where rates are stated in the form of arbitraries or differentials to be added to or deducted from base rates, the base rate and the arbitraries or differentials are separately increased as provided herein.

NOTE 2: In the disposition of fractions of a cent, any amount less than one-half cent will be dropped, and one-half cent or over will be increased to the next whole cent.

NOTE 3: The increase provided for herein WILL NOT apply to the rates and charges shown in Section 5 of this tariff.

Decision No. 77972, June 17, 1971.

RULES AND REGULATIONS

ITEM APPLICATION

16TH REVISED PAGE 85

CHARGES ARE NOT SUBJECT TO AMENDMENT 9.

420 MINIMUM CHARGE: (CONCLUDED)

(CON- (1) THE MINIMUM CHARGE FOR A SINGLE SHIPMENT FROM ONE CONSIGNOR TO ONE
CLU- CONSIGNEE ON ONE BILL OF LADING IN ONE DAY VIA OR IN CONNECTION WITH THE
DED) CARRIERS NAMED BELOW WILL BE:

WHEN WEIGHT OF SHIPMENT (IN POUNDS) IS	SINGLE LINE TRAFFIC				JOINT LINE TRAFFIC	
	AND LTL RATE BASIS NO. IN SECTION					
	IS:					
	0	161	200	290		
OVER - NOT OVER	TO	TO	TO	AND		
	160	199	289	OVER		
MINIMUM CHARGE IN CENTS SHALL BE:						
0 - 100	550	565	575	600	625	
100 - 150	590	615	635	695	730	
150 - 200	670	730	780	845	885	
200 - - -	735	795	845	910	950	

THE PROVISIONS OF THIS PARAGRAPH APPLY ONLY VIA OR IN CONNECTION WITH THE FOLLOWING CARRIERS:

FREDERIC A. BETHKE, D/B/A
BETHKE TRUCK LINES
OVERLAND MOTOR EXPRESS, INC.,
D/B/A
BOULDER-DENVER TRUCK LINE
BURLINGTON TRUCK LINES, INC.
CAPRON TRUCK CO.
DONALD G. ANDERSON, D/B/A
CASTLE ROCK TRANSFER
CLARK, BILL, TRUCK LINE, 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.
DIGBY, W. J., INC. (SUBJECT TO
ITEM 470)
EDSON EXPRESS, INC.
ENGLEWOOD TRANSIT COMPANY, A
CORPORATION (SUBJECT TO
ITEM 470)
EPHRAIM FREIGHTWAYS, INC.
EVERGREEN FREIGHT LINE,
INCORPORATED
GARRETT FREIGHTLINES, INC.
GILPIN COUNTY FREIGHT SERVICE, INC.
HARP TRANSPORTATION LINE, INC.
HOFFMAN TRANSFER CO.
IML FREIGHT, INC.
MAUVERDENE ROBINSON, D/B/A
K & K TRANSFER COMPANY
L & E FREIGHT LINE, INC.
ELDEN G. WILLE, D/B/A
LAKE CITY TRUCK LINE

LARSON TRANSPORTATION COMPANY
MILE HI EXPRESS, INC.
MILLER BROS., INC.
MILLIKEN JOHNSTOWN TRUCK LINE, INC.
MONTGOMERY, J.B., INC.
RUBY D. JACKSON, D/B/A
MOUNTAIN EXPRESS TRUCK LINE
MURPH'S EXPRESS, INC. (SUBJECT TO
ITEM 470)
NAVAJO FREIGHT LINES, INC. (WILL
APPLY ON COLORADO INTRASTATE
TRAFFIC IN CONNECTION WITH
PERMIT A-607 ONLY)
NORTH EASTERN MOTOR FREIGHT, INC.
NORTH PARK TRANSPORTATION CO.
NORTHWEST TRANSPORT SERVICE, INC.
RED BALL MOTOR FREIGHT, INC.
RINGSBY TRUCK LINES, INC.
RIO GRANDE MOTOR WAY, INC.
SANTA FE TRAIL TRANSPORTATION
COMPANY, THE
RICHARD H. ESHE AND LOIS MAE
ESHE, D/B/A
SOUTH PARK MOTOR LINES
TELLURIDE TRANSFER COMPANY
ANNA GASPERETTI, D/B/A
TRI-C TRANSFER AND STORAGE, THE
DONALD R. WILLS, D/B/A
TWEEDY TRANSFER
WANDELL & LOWE TRANSFER AND
STORAGE COMPANY, THE (SUBJECT TO
ITEM 470)
WESTWAY MOTOR FREIGHT, INC.
JOHN B. WINDECKER, D/B/A
WINDECKER TRUCK LINE
YUMA COUNTY TRANSPORTATION CO.

♦ DENOTES INCREASE.

/ DENOTES ADDITION.

Decision No. 77972, June 17, 1971.

(Decision No. 77973)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GLENN FREELAND AND MYRTLE FREELAND,)
DOING BUSINESS AS "MORGAN CAB)
COMPANY," APPLE ORCHARD MOTEL, 625)
EAST PLATTE AVENUE, FORT MORGAN,)
COLORADO, FOR TEMPORARY APPROVAL)
TO CONDUCT OPERATIONS UNDER CERTI-)
FICATE OF PUBLIC CONVENIENCE AND)
NECESSITY PUC NO. 1416.)

APPLICATION NO. 25043-Transfer-TA
ORDER GRANTING TEMPORARY APPROVAL

- - - - -
June 18, 1971
- - - - -

The above-entitled application under CRS 1963, 115-6-20(2),
being under consideration, and

It appearing, That appropriate application has been made to
this Commission for permanent authority to transfer Certificate of Public
Convenience and Necessity PUC No. 1416 to the above-named Transferees.

It further appearing, That failure to grant temporary approval
may result in destruction of, or injury to, the Applicants or interfere
substantially with their future usefulness in the performance of adequate
and continuous service to the public.

It is ordered, That Transferees be, and are hereby, granted tempo-
rary approval, conditioned upon full compliance with all applicable statu-
tory and Commission requirements, rules and regulations, to engage in the
business of transportation by motor vehicle to the extent and in the manner
set forth in the appendix attached hereto.

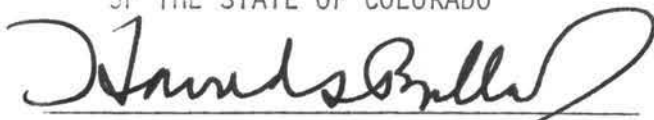


It is further ordered, That the service provided for in the Order
shall not be commenced until all requirements have been met and Transferees
have received notice in writing from the Commission that compliance has
been effected and service may be instituted.

It is further ordered, That upon the approval herein granted becoming effective, failure of the Transferees to maintain compliance with statutory and Commission requirements shall constitute sufficient grounds for suspension, change or revocation of the said approval.

It is further ordered, That if Transferees fail to comply with all applicable statutory and Commission requirements, rules and regulations within fifteen (15) days from the date hereof, this Order shall be of no further force and effect.

It is further ordered, That the approval herein granted shall create no presumption that corresponding permanent approval will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
18th day of June, 1971.

vjr

(Decision No. 77973)
June 18, 1971

APPENDIX

Application No. 25042-Transfer-TA

Glen Freeland and Myrtle Freeland
Doing Business As
Morgan Cab Company
Apple Orchard Motel
625 East Platte Avenue
Fort Morgan, Colorado

By Order of the Commission which this appendix is a part hereof, entered under the name and number shown above, Applicants, upon compliance with the conditions set forth therein and after receipt of notice in writing from the Commission that said conditions have been met, are authorized to engage in the business of transportation by motor vehicle as follows:

TIME FOR WHICH TEMPORARY APPROVAL IS GRANTED - 165 days or until such time as the decision of the Commission on the corresponding permanent application of the Applicants becomes final, whichever occurs first.

TYPE OF CARRIER - Common

SERVICE AUTHORIZED:

Temporary authority to conduct operations under Certificate of Public Convenience and Necessity PUC No. 1416 with authority as follows:

"Transportation -- in taxicab service -- of
Passengers and their baggage

Between all points within the City of Fort Morgan, Colorado, and between said points, on the one hand, and points within a fifty-mile radius thereof, on the other hand."

(Decision No. 77974)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
FREDERICK M. LYNCH, DOING BUSINESS)	
AS "FRED'S PROPANE SERVICE," 4743	)	APPLICATION NO. 25028-PP-TA
NORTH 55TH STREET, BOULDER, COLORADO,)	
FOR TEMPORARY AUTHORITY TO OPERATE	)	ORDER GRANTING TEMPORARY AUTHORITY
AS A CLASS "B" CONTRACT CARRIER BY)	
MOTOR VEHICLE.)	

- - - - -
June 18, 1971
- - - - -

The above-entitled application under CRS 1963, 115-6-20(1),
being under consideration, and

It appearing, That there is an immediate and urgent need for
the motor carrier service described in the appendix attached hereto,
and that there is no carrier service available capable of meeting such
need.

It is ordered, That Applicant be, and is hereby, granted tempo-
rary authority, conditioned upon full compliance with all applicable
statutory and Commission requirements, rules and regulations, to engage
in the business of transportation by motor vehicle to the extent and
in the manner set forth in the appendix attached hereto.

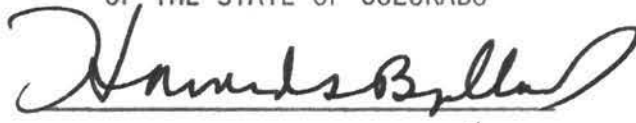


It is further ordered, That the service provided for in this
order shall not be commenced until all requirements have been met and
Applicant has received notice in writing from the Commission that compli-
ance has been effected and service may be insituted.

It is further ordered, That upon the authority herein granted
becoming effective, failure of the Applicant to maintain compliance with
statutory and Commission requirements shall constitute sufficient grounds
for suspension, change or revocation of the said authority.

It is further ordered, That if Applicant fails to comply with all applicable statutory and Commission requirements, rules and regulations within fifteen (15) days from the date hereof, this Order shall be of no further force and effect.

It is further ordered, That the authority herein granted shall create no presumption that corresponding permanent authority will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 18th day of June, 1971.
js

(Decision No. 77974)
June 18, 1971

APPENDIX

Application No. 25028-PP-TA

Frederick M. Lynch
Doing Business As
"Fred's Propane Service"
4743 North 55th Street
Boulder, Colorado

By Order of the Commission which this appendix is a part hereof, entered under the name and number shown above, Applicant, upon compliance with the conditions set forth therein and after receipt of notice in writing from the Commission that said conditions have been met, is authorized to engage in the business of transportation by motor vehicle as follows:

TIME FOR WHICH TEMPORARY AUTHORITY IS GRANTED - 165 days or until such time as the decision of the Commission on the corresponding permanent application of the Applicant becomes final, whichever occurs first.

TYPE OF CARRIER - Contract

SERVICE AUTHORIZED:

Temporary authority to operate as a class "B" contract carrier by motor vehicle with authority as follows:

"Transportation of

Grass sod

From sod farms located within the County of Weld,
State of Colorado, to all points located within
the State of Colorado."

(Decision No. 77975)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
ANTHONY MARINO, 3124 BLACKHAWK)	
STREET, AURORA, COLORADO, FOR TEMPO-)	APPLICATION NO. 25042-PP-TA
RARY AUTHORITY TO OPERATE AS A CLASS)	ORDER GRANTING TEMPORARY AUTHORITY
"B" CONTRACT CARRIER BY MOTOR)	
VEHICLE.)	

- - - - -
June 18, 1971
- - - - -

The above-entitled application under CRS 1963, 115-6-20(1),
being under consideration, and

It appearing, That there is an immediate and urgent need for
the motor carrier service described in the appendix attached hereto, and
that there is no carrier service available capable of meeting such need.

It is ordered, That Applicant be, and is hereby, granted tempo-
rary authority, conditioned upon full compliance with all applicable
statutory and Commission requirements, rules and regulations, to engage
in the business of transportation by motor vehicle to the extent and in
the manner set forth in the appendix attached hereto.

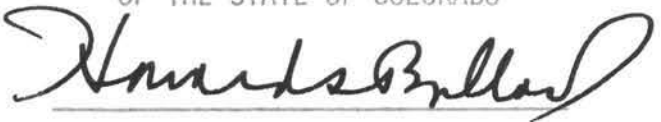

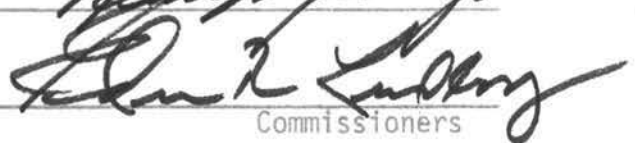
It is further ordered, That the service provided for in this
order shall not be commenced until all requirements have been met and
Applicant has received notice in writing from the Commission that compli-
ance has been effected and service may be instituted.

It is further ordered, That upon the authority herein granted
becoming effective, failure of the Applicant to maintain compliance with
statutory and Commission requirements shall constitute sufficient grounds
for suspension, change or revocation of the said authority.

It is further ordered, That if Applicant fails to comply with all applicable statutory and Commission requirements, rules and regulations within fifteen (15) days from the date hereof, this Order shall be of no further force and effect.

It is further ordered, That the authority herein granted shall create no presumption that corresponding permanent authority will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 18th day of June, 1971.
js

APPENDIX

Application No. 25042-PP-TA

Anthony Marino
3124 Blackhawk Street
Aurora, Colorado

By Order of the Commission which this appendix is a part hereof, entered under the name and number shown above, Applicant, upon compliance with the conditions set forth therein and after receipt of notice in writing from the Commission that said conditions have been met, is authorized to engage in the business of transportation by motor vehicle as follows:

TIME FOR WHICH TEMPORARY AUTHORITY IS GRANTED - 165 days or until such time as the decision of the Commission on the corresponding permanent application of the Applicant becomes final, whichever occurs first.

TYPE OF CARRIER - Contract

SERVICE AUTHORIZED:

Temporary authority to operate as a class "B" contract carrier by motor vehicle with authority as follows:

"Transportation of

- (1) Sand, gravel and other road-surfacing materials used in the construction of roads and highways

From pits and supply points in the State of Colorado to road jobs, mixer and processing plants within a radius of seventy-five (75) miles of said pits and supply points;
- (2) 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 seventy-five (75) miles of said pits and supply points;
- (3) Sand, gravel, dirt, stone and refuse

From and to building construction jobs, to and from points within a radius of seventy-five (75) miles of said jobs;

(4) Insulrock

From pits and supply points in the State of Colorado to roofing jobs within a radius of seventy-five (75) miles of said pits and supply points;

RESTRICTION: This temporary authority is restricted against the use of tank vehicles when transporting road-surfacing materials."

(Decision No. 77976)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	APPLICATION NO. 25041-PP-TA
JAY O. GUY, DOING BUSINESS AS "JAY)	
O. GUY CONSTRUCTION," ROUTE 3, BOX)	ORDER GRANTING TEMPORARY AUTHORITY
262B, BRIGHTON, COLORADO, FOR TEM-)	
PORARY AUTHORITY TO OPERATE AS A)	
CLASS "B" CONTRACT CARRIER BY MOTOR)	
VEHICLE.)	

June 18, 1971

The above-entitled application under CRS 1963, 115-6-20 (1),
being under consideration, and

It appearing, That there is an immediate and urgent need
for the motor carrier service described in the appendix attached hereto,
and that there is no carrier service available capable of meeting such
need.

It is ordered, That Applicant be, and is hereby, granted
temporary authority, conditioned upon full compliance with all appli-
cable statutory and Commission requirements, rules and regulations,
to engage in the business of transportation by motor vehicle to the
extent and in the manner set forth in the appendix attached hereto.

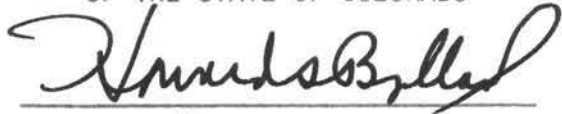
It is further ordered, That the service provided for in
this order shall not be commenced until all requirements have been
met and Applicant has received notice in writing from the Commission
that compliance has been effected and service may be instituted.

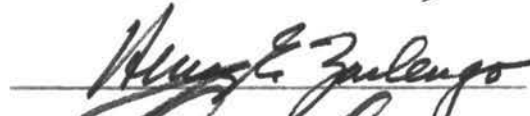
It is further ordered, That upon the authority herein granted
becoming effective, failure of the Applicant to maintain compliance
with statutory and Commission requirements shall constitute sufficient
grounds for suspension, change or revocation of the said authority.

It is further ordered, That if Applicant fails to comply with all applicable statutory and Commission requirements, rules and regulations within fifteen (15) days from the date hereof, this Order shall be of no further force and effect.

It is further ordered, That the authority herein granted shall create no presumption that corresponding permanent authority will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO






Commissioner

Dated at Denver, Colorado,
this 18th day of June, 1971.
js

(Decision No. 77976)
June 18, 1971

APPENDIX

Application No. 25041-PP-TA

Jay O. Guy
Doing Business AS
Jay O. Guy Construction
Rt. 3, Box 262B
Brighton, Colorado

By Order of the Commission which this appendix is a part hereof, entered under the name and number shown above, Applicant, upon compliance with the conditions set forth therein and after receipt of notice in writing from the Commission that said conditions have been met, is authorized to engage in the business of transportation by motor vehicle as follows:

TIME FOR WHICH TEMPORARY AUTHORITY IS GRANTED - 165 days or until such time as the decision of the Commission on the corresponding permanent application of the Applicant becomes final, whichever occurs first.

TYPE OF CARRIER - Contract

SERVICE AUTHORIZED:

Temporary authority to operate as a class "B" contract carrier by motor vehicle with authority as follows:

"Transportation of

- (1) 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 (100) miles of said pits and supply points;

- (2) 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 one hundred (100) miles of said pits and supply points;

- (3) Sand, gravel, dirt, stone and refuse

From and to building construction jobs, to and from points within a radius of one hundred (100) miles of said jobs;

- (4) Insulrock

From pits and supply points in the State of Colorado to roofing jobs within a radius of one hundred (100) miles of said pits and supply points;

RESTRICTION: This temporary authority is restricted against the use of tank vehicles when transporting road-surfacing materials."

(Decision No. 77977)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DEANE E. THOMAS, 4120 TENNYSON)
STREET, DENVER, COLORADO, FOR TEM-)
PORARY AUTHORITY TO OPERATE AS A)
CLASS "B" CONTRACT CARRIER BY)
MOTOR VEHICLE.)

APPLICATION NO. 24030-PP-TA
ORDER GRANTING TEMPORARY AUTHORITY

- - - - -
June 18, 1971
- - - - -

The above-entitled application under CRS 1963, 115-6-20 (1),
being under consideration, and

It appearing, That there is an immediate and urgent need for
the motor carrier service described in the appendix attached hereto,
and that there is no carrier service available capable of meeting
such need.

It is ordered, That Applicant be, and is hereby, granted
temporary authority, conditioned upon full compliance with all appli-
cable statutory and Commission requirements, rules and regulations,
to engage in the business of transportation by motor vehicle to the
extent and in the manner set forth in the appendix attached hereto.

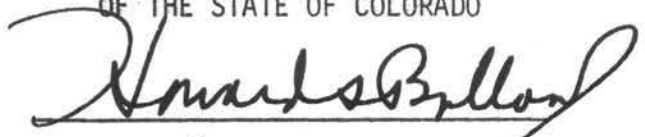


It is further ordered, That the service provided for in
this order shall not be commenced until all requirements have been
met and Applicant has received notice in writing from the Commission
that compliance has been effected and service may be instituted.

It is further ordered, That upon the authority herein granted
becoming effective, failure of the Applicant to maintain compliance
with statutory and Commission requirements shall constitute sufficient
grounds for suspension, change or revocation of the said authority.

It is further ordered, That if Applicant fails to comply with all applicable statutory and Commission requirements, rules and regulations within fifteen (15) days from the date hereof, this Order shall be of no further force and effect.

It is further ordered, That the authority herein granted shall create no presumption that corresponding permanent authority will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 18th day of June, 1971.
js

(Decision No. 77977)

June 18, 1971

APPENDIX

Application No. 24030-PP-TA

Deane E. Thomas
4120 Tennyson Street
Denver, Colorado

By Order of the Commission which this appendix is a part hereof, entered under the name and number shown above, Applicant, upon compliance with the conditions set forth therein and after receipt of notice in writing from the Commission that said conditions have been met, is authorized to engage in the business of transportation by motor vehicle as follows:

TIME FOR WHICH TEMPORARY AUTHORITY IS GRANTED - 165 days or until such time as the decision of the Commission on the corresponding permanent application of the Applicant becomes final, whichever occurs first.

TYPE OF CARRIER - Contract

SERVICE AUTHORIZED:

Temporary authority to operate as a class "B" contract carrier by motor vehicle with authority as follows:

"Transportation of

- (1) Sand, gravel and other road-surfacing materials used in the construction of roads and highways

From pits and supply points in the State of Colorado to road jobs, mixer and processing plants within a radius of fifty (50) miles of said pits and supply points;

- (2) Sand and gravel

From pits and supply points in the State of Colorado to railroad loading points and to homes and small construction jobs within a radius of fifty (50) miles of said pits and supply points;

(3) Sand, gravel, dirt, stone and refuse

From and to building construction jobs, to and from points within a radius of fifty (50) miles of said jobs;

(4) Insulrock

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

RESTRICTION: This temporary authority is restricted against the use of tank vehicles when transporting road-surfacing materials."

(Decision No. 77978)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	APPLICATION NO. 25031-PP-TA
ROBERT G. MITCHELL, 7320 GRANADA)	
ROAD, DENVER, COLORADO, FOR TEMPO-)	ORDER GRANTING TEMPORARY AUTHORITY
RARY AUTHORITY TO OPERATE AS A CLASS)	
"B" CONTRACT CARRIER BY MOTOR)	
VEHICLE.)	

- - - - -
June 18, 1971
- - - - -

The above-entitled application under CRS 1963, 115-6-20 (1),
being under consideration, and

It appearing, That there is an immediate and urgent need for
the motor carrier service described in the appendix attached hereto, and
that there is no carrier service available capable of meeting such need.

It is ordered, That Applicant be, and is hereby, granted
temporary authority, conditioned upon full compliance with all applicable
statutory and Commission requirements, rules and regulations, to engage
in the business of transportation by motor vehicle to the extent and in
the manner set forth in the appendix attached hereto.

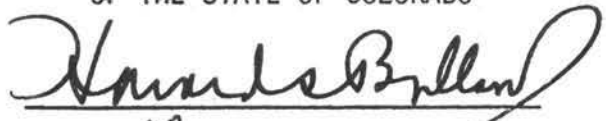


It is further ordered, That the service provided for in this
order shall not be commenced until all requirements have been met and
Applicant has received notice in writing from the Commission that com-
pliance has been effected and service may be instituted.

It is further ordered, That upon the authority herein granted
becoming effective, failure of the Applicant to maintain compliance with
statutory and Commission requirements shall constitute sufficient grounds
for suspension, change or revocation of the said authority.

It is further ordered, That if Applicant fails to comply with all applicable statutory and Commission requirements, rules and regulations within fifteen (15) days from the date hereof, this Order shall be of no further force and effect.

It is further ordered, That the authority herein granted shall create no presumption that corresponding permanent authority will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 18th day of June, 1971.
js

(Decision No. 77978)
June 18, 1971

APPENDIX

Application No. 25031-PP-TA

Robert G. Mitchell
7320 Granada Road
Denver, Colorado

By Order of the Commission which this appendix is a part hereof, entered under the name and number shown above, Applicant, upon compliance with the conditions set forth therein and after receipt of notice in writing from the Commission that said conditions have been met, is authorized to engage in the business of transportation by motor vehicle as follows:

TIME FOR WHICH TEMPORARY AUTHORITY IS GRANTED - 165 days or until such time as the decision of the Commission on the corresponding permanent application of the Applicant becomes final, whichever occurs first.

TYPE OF CARRIER - Contract

SERVICE AUTHORIZED:

Temporary authority to operate as a class "B" contract carrier by motor vehicle with authority as follows:

"Transportation of

- (1) Sand, gravel and other road-surfacing materials used in the construction of roads and highways

From pits and supply points in the State of Colorado to road jobs, mixer and processing plants within a radius of fifty (50) miles of said pits and supply points;

- (2) Sand and gravel

From pits and supply points in the State of Colorado to railroad loading points and to homes and small construction jobs within a radius of fifty (50) miles of said pits and supply points;

(3) Sand, gravel, dirt, stone and refuse

From and to building construction jobs, to and from points within a radius of fifty (50) miles of said jobs;

(4) Insulrock

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

RESTRICTION: This temporary authority is restricted against the use of tank vehicles when transporting road-surfacing materials."

(Decision No. 77979)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
JOHN L. HUGHES, 817 - 7TH STREET,)	APPLICATION NO. 25032-TA
WALDEN, COLORADO, FOR TEMPORARY)	
AUTHORITY TO OPERATE AS A COMMON)	ORDER GRANTING TEMPORARY AUTHORITY
CARRIER BY MOTOR VEHICLE.)	

- - - - -
June 18, 1971
- - - - -

The above-entitled application under CRS 1963, 115-6-20 (1),
being under consideration, and

It appearing, That there is an immediate and urgent need for
the motor carrier service described in the appendix attached hereto, and
that there is no carrier service available capable of meeting such need;

It is ordered, That Applicant be, and is hereby, granted
temporary authority, conditioned upon full compliance with all applicable
statutory and Commission requirements, rules and regulations, to engage
in the business of transportation by motor vehicle to the extent and in
the manner set forth in the appendix attached hereto.

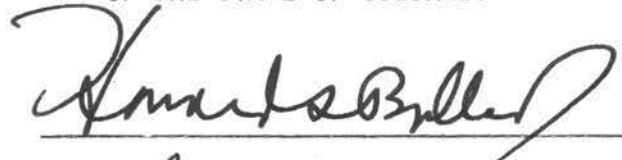


It is further ordered, That the service provided for in this
order shall not be commenced until all requirements have been met and
Applicant has received notice in writing from the Commission that
compliance has been effected and service may be instituted.

It is further ordered, That upon the authority herein granted
becoming effective, failure of the Applicant to maintain compliance
with statutory and Commission requirements shall constitute sufficient
grounds for suspension, change or revocation of the said authority.

It is further ordered, That if Applicant fails to comply with
all applicable statutory and Commission requirements, rules and regulations
within fifteen (15) days from the date hereof, this Order shall be of no
further force and effect.

It is further ordered, That the authority herein granted shall create no presumption that corresponding permanent authority will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 18th day of June, 1971.
hbp

(Decision No. 77979)
June 18, 1971

APPENDIX

Application No. 25032-TA

John L. Hughes
817 7th Street
Walden, Colorado

By Order of the Commission which this appendix is a part hereof, entered under the name and number shown above, Applicant, upon compliance with the conditions set forth therein and after receipt of notice in writing from the Commission that said conditions have been met, is authorized to engage in the business of transportation by motor vehicle as follows:

TIME FOR WHICH TEMPORARY AUTHORITY IS GRANTED - 180 days or until such such time as the decision of the Commission on the corresponding permanent application of the Applicant becomes final, whichever occurs first.

TYPE OF CARRIER - Common

SERVICE AUTHORIZED:

Temporary authority to operate as a common carrier by motor vehicle with authority as follows:

"Transportation of

Ash, trash, and other refuse

From all points located within the County of Jackson, State of Colorado, to designated and approved dumps and disposal sites located within said County."

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ALBERT LEE TORREY, DOING BUSINESS AS)
"A & M HAULING," 4549 MARIPOSA WAY,)
DENVER, COLORADO, FOR AUTHORITY TO)
OPERATE AS A CLASS "B" CONTRACT)
CARRIER BY MOTOR VEHICLE.)

APPLICATION NO. 25044-PP

ORDER OF THE COMMISSION

- - - - -
June 18, 1971
- - - - -

It appearing, That by Order of the Commission dated June 9, 1971, notice of the filing of the above-entitled application was given to all interested persons, firms and corporations pursuant to CRS 1963, 115-6-8 (2);

It further appearing, That no protest, objection or petition to intervene or otherwise participate in the proceeding has been filed by any person within the time prescribed by the Commission in said Order, and that the herein proceeding is therefore noncontested and unopposed;

It further appearing, That pursuant to CRS 1963, 115-6-9 (5) the herein matter is one which may properly be determined without the necessity of a formal oral hearing and that the taking of evidence in this proceeding should be by reference to the verified application as filed with the Commission together with such additional information or data as may have been required of Applicant in connection with said filing, and the files and records of the Commission;

And it further appearing, That the evidence thus submitted amply warrants the grant of authority as hereinafter ordered;

Wherefore, and good cause appearing therefor:

We find, That there is a present and special need for Applicant's transportation services as hereinafter ordered;

We further find, That it does not appear that the grant of authority as hereinafter ordered will impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes;

And we further find, That Applicant is fit, willing and able properly to perform the service as hereinafter granted and to conform to the applicable statutory requirements and the Commission's rules and regulations thereunder, and that an appropriate order should be entered; and

It is ordered, That Albert Lee Torrey, doing business as "A & M Hauling," 4549 Mariposa Way, Denver, Colorado, be, and is hereby, authorized to operate as a class "B" contract carrier by motor vehicle for hire for the following:

"Transportation of

- (1) 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 (100) miles of said pits and supply points;

- (2) 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 one hundred (100) miles of said pits and supply points;

- (3) Sand, gravel, dirt, stone and refuse

From and to building construction jobs, to and from points within a radius of one hundred (100) miles of said jobs;

- (4) Insulrock

From pits and supply points in the State of Colorado to roofing jobs within a radius of one hundred (100) miles of said pits and supply points;

RESTRICTION: This Permit is restricted against the use of tank vehicles when transporting road-surfacing materials."

and this Order shall be deemed to be, and be, A PERMIT therefor.




It is further ordered, That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this Permit as deemed advisable.

It is further ordered, That this Order is the Permit herein provided for, but it shall not become effective until Applicant has filed a statement of customers, the necessary tariffs, required insurance, and has secured authority sheets.

It is further ordered, That the right of Applicant to operate hereunder shall depend upon compliance with all present and future laws and rules and regulations of the Commission.

And it is further ordered, That this Order shall become effective twenty-one days from the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 18th day of June, 1971.
hbp

(Decision No. 77981)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
MONTROSE CONCRETE PRODUCTS CO.,	)	APPLICATION NO. 25029-PP
P. O. BOX 846, MONTROSE, COLORADO,)	
FOR AUTHORITY TO OPERATE AS A CLASS	)	ORDER OF THE COMMISSION
"B" CONTRACT CARRIER BY MOTOR VEHICLE.)	

- - - - -
June 18, 1971
- - - - -

It appearing, That by Order of the Commission dated June 9, 1971, notice of the filing of the above-entitled application was given to all interested persons, firms and corporations pursuant to CRS 1963, 115-6-8 (2);

It further appearing, That no protest, objection or petition to intervene or otherwise participate in the proceeding has been filed by any person within the time prescribed by the Commission in said Order, and that the herein proceeding is therefore noncontested and unopposed;

It further appearing, That pursuant to CRS 1963, 115-6-9 (5) the herein matter is one which may properly be determined without the necessity of a formal oral hearing and that the taking of evidence in this proceeding should be by reference to the verified application as filed with the Commission together with such additional information or data as may have been required of Applicant in connection with said filing, and the files and records of the Commission;

And it further appearing, That the evidence thus submitted amply warrants the grant of authority as hereinafter ordered;

Wherefore, and good cause appearing therefor:

We find, That there is a present and special need for Applicant's transportation services as hereinafter ordered;

We further find, That it does not appear that the grant of authority as hereinafter ordered will impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes;

And we further find, That Applicant is fit, willing and able properly to perform the service as hereinafter granted and to conform to the applicable statutory requirements and the Commission's rules and regulations thereunder, and that an appropriate order should be entered; and

It is ordered, That Montrose Concrete Products Co., P.O. Box 846, Montrose, Colorado, be, and is hereby, authorized to operate as a class "B" contract carrier by motor vehicle for hire for the following:

"Transportation of

- (1) 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 (100) miles of said pits and supply points;

- (2) 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 one hundred (100) miles of said pits and supply points;

- (3) Sand, gravel, dirt, stone and refuse

From and to building construction jobs, to and from points within a radius of one hundred (100) miles of said jobs;

- (4) Insulrock

From pits and supply points in the State of Colorado to roofing jobs within a radius of one hundred (100) miles of said pits and supply points;

RESTRICTION: This Permit is restricted against the use of tank vehicles when transporting road-surfacing materials."

and this Order shall be deemed to be, and be, a PERMIT therefor.

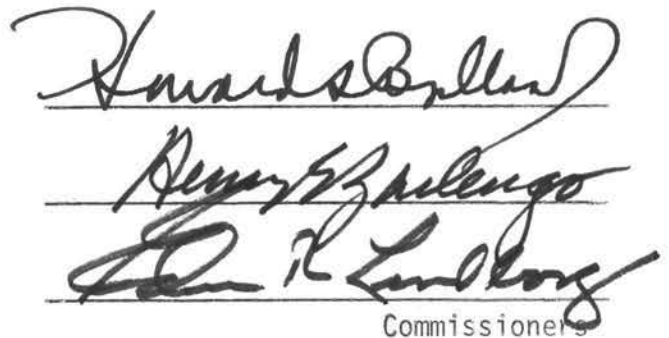
It is further ordered, That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this Permit as deemed advisable.

It is further ordered, That this Order is the Permit herein provided for, but it shall not become effective until Applicant has filed a statement of customers, the necessary tariffs, required insurance, and has secured authority sheets.

It is further ordered, That the right of Applicant to operate hereunder shall depend upon compliance with all present and future laws and rules and regulations of the Commission.

And it is further ordered, That this Order shall become effective twenty-one days from the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 18th day of June, 1971.
hbp

(Decision No. 77982)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF

VINCENT VELLA
1609 Lexington Road
Pueblo, Colorado 81001

AUTHORITY NO. M 15180

CASE NO. 7081-M-Ins.

June 17, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On June 14, 1971, in the above-entitled Case, the Commission entered its Order revoking the above authority for failure to maintain effective insurance on file with the Commission.

The records of the Commission now disclose that proper insurance filing has been made.

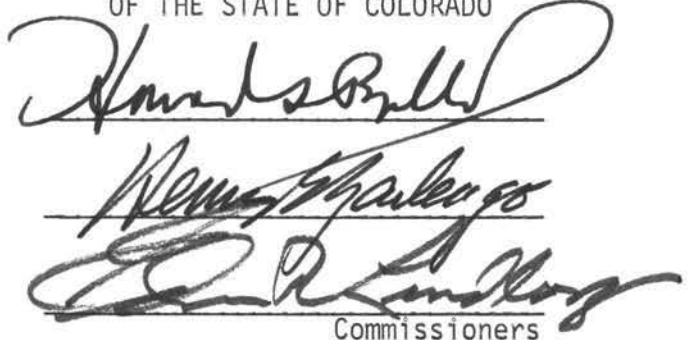
The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

O R D E R

THE COMMISSION ORDERS:

That the herein 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 17th day of June, 1971

(Decision No. 77983)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MICHAEL G. MALOTT, 3301 MOORE LANE,)
FORT COLLINS, COLORADO, FOR AUTHOR-)
ITY TO OPERATE AS A CLASS "B")
CONTRACT CARRIER BY MOTOR VEHICLE.)

APPLICATION NO. 25046-PP
ORDER OF THE COMMISSION

- - - - -
June 22, 1971
- - - - -

It appearing, That by Order of the Commission dated June 9, 1971, notice of the filing of the above-entitled application was given to all interested persons, firms and corporations pursuant to CRS 1963, 115-6-8(2);

It further appearing, That no protest, objection or petition to intervene or otherwise participate in the proceeding has been filed by any person within the time prescribed by the Commission in said Order, and that the herein proceeding is therefore noncontested and unopposed;

It further appearing, That pursuant to CRS 1963, 115-6-9(5), the herein matter is one which may properly be determined without the necessity of a formal oral hearing and that the taking of evidence in this proceeding should be by reference to the verified application as filed with the Commission together with such additional information or data as may have been required of Applicant in connection with said filing, and the files and records of the Commission;

And it further appearing, That the evidence thus submitted amply warrants the grant of authority as hereinafter ordered;

Wherefore, and good cause appearing therefor:

We find, That there is a present and special need for Applicant's transportation services as hereinafter ordered;

We further find, That it does not appear that the grant of authority as hereinafter ordered will impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes;

And we further find, That Applicant is fit, willing and able properly to perform the service as hereinafter granted and to conform to the applicable statutory requirements and the Commission's rules and regulations thereunder, and that an appropriate order should be entered; and

It is ordered, That Michael G. Malott, 3301 Moore Lane, Fort Collins, Colorado, be, and is hereby, authorized to operate as a class "B" contract carrier by motor vehicle for hire for the following:

"Transportation of

Farm products

Between all points located within an area comprised of the Counties of Larimer, Weld, and Jackson, State of Colorado.

RESTRICTION: This Permit is restricted against transporting livestock, bulk milk, and dairy products."

and this Order shall be deemed to be, and be, a PERMIT therefor.

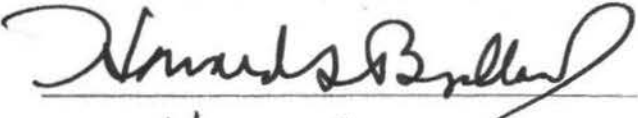

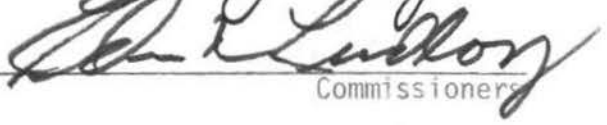
It is further ordered, That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this Permit as deemed advisable.

It is further ordered, That this Order is the Permit herein provided for, but it shall not become effective until Applicant has filed a statement of customers, the necessary tariffs, required insurance, and has secured authority sheets.

It is further ordered, That the right of Applicant to operate hereunder shall depend upon compliance with all present and future laws and rules and regulations of the Commission.

And it is further ordered, That this Order shall become effective twenty-one (21) days from the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
22nd day of June, 1971.
vjr

(Decision No. 77984)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DEANE E. THOMAS, 4120 TENNYSON)
STREET, DENVER, COLORADO, FOR AU-)
THORITY TO OPERATE AS A CLASS "B")
CONTRACT CARRIER BY MOTOR VEHICLE.)

APPLICATION NO. 25030-PP
ORDER OF THE COMMISSION

- - - - -
June 22, 1971
- - - - -

It appearing, That by Order of the Commission dated June 9, 1971, notice of the filing of the above-entitled application was given to all interested persons, firms and corporations pursuant to CRS 1963, 115-6-8(2);

It further appearing, That no protest, objection or petition to intervene or otherwise participate in the proceeding has been filed by any person within the time prescribed by the Commission in said Order, and that the herein proceeding is therefore noncontested and unopposed;

It further appearing, That pursuant to CRS 1963, 115-6-9(5), the herein matter is one which may properly be determined without the necessity of a formal oral hearing and that the taking of evidence in this proceeding should be by reference to the verified application as filed with the Commission together with such additional information or data as may have been required of Applicant in connection with said filing, and the files and records of the Commission;

And it further appearing, That the evidence thus submitted amply warrants the grant of authority as hereinafter ordered;

Wherefore, and good cause appearing therefor:

We find, That there is a present and special need for Applicant's transportation services as hereinafter ordered;

We further find, That it does not appear that the grant of authority as hereinafter ordered will impair the efficient public service of any

authorized common carrier adequately serving the same territory over the same general route or routes;

And we further find, That Applicant is fit, willing and able properly to perform the service as hereinafter granted and to conform to the applicable statutory requirements and the Commission's rules and regulations thereunder, and that an appropriate order should be entered; and

It is ordered, That Deane E. Thomas, 4120 Tennyson Street, Denver, Colorado, be, and is hereby, authorized to operate as a class "B" contract carrier by motor vehicle for hire for the following:

"Transportation of

- (1) Sand, gravel and other road-surfacing materials used in the construction of roads and highways

From pits and supply points in the State of Colorado to road jobs, mixer and processing plants within a radius of fifty (50) miles of said pits and supply points;

- (2) Sand and gravel

From pits and supply points in the State of Colorado to railroad loading points and to homes and small construction jobs within a radius of fifty (50) miles of said pits and supply points;

- (3) Sand, gravel, dirt, stone and refuse

From and to building construction jobs, to and from points within a radius of fifty (50) miles of said jobs;

- (4) Insulrock

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

RESTRICTION: This Permit is restricted against the use of tank vehicles when transporting road-surfacing materials."

and this Order shall be deemed to be, and be, a PERMIT therefor.

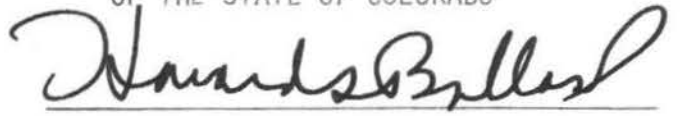
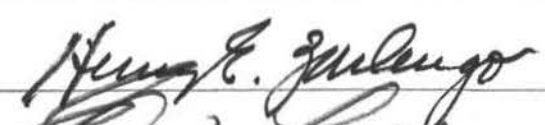
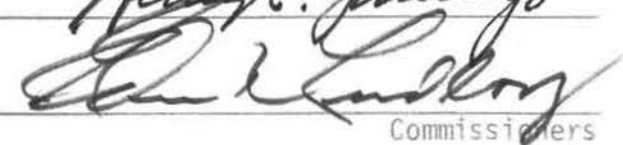
It is further ordered, That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this Permit as deemed advisable.

It is further ordered, That this Order is the Permit herein provided for, but it shall not become effective until Applicant has filed a statement of customers, the necessary tariffs, required insurance, and has secured authority sheets.

It is further ordered, That the right of Applicant to operate hereunder shall depend upon compliance with all present and future laws and rules and regulations of the Commission.

And it is further ordered, That this Order shall become effective twenty-one (21) days from the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
22nd day of June, 1971.

vjr

(Decision No. 77985)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WILKINS TRANSPORTATION, INC.,)
343 SOUTH VERNAL AVENUE, VERNAL,)
UTAH, FOR TEMPORARY AUTHORITY TO)
OPERATE AS A CLASS "B" CONTRACT)
CARRIER BY MOTOR VEHICLE.)

APPLICATION NO. 25034-PP-TA

ORDER GRANTING TEMPORARY AUTHORITY

- - - - -
June 21, 1971
- - - - -

The above-entitled application under CRS 1963, 115-6-20 (1),
being under consideration, and

It appearing, That there is an immediate and urgent need for
the motor carrier service described in the appendix attached hereto, and
that there is no carrier service available capable of meeting such need.

It is ordered, That Applicant be, and is hereby, granted
temporary authority, conditioned upon full compliance with all applicable
statutory and Commission requirements, rules and regulations, to engage
in the business of transportation by motor vehicle to the extent and in
the manner set forth in the appendix attached hereto.

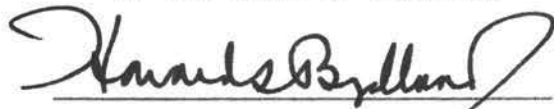
It is further ordered, That the service provided for in this
order shall not be commenced until all requirements have been met and
Applicant has received notice in writing from the Commission that com-
pliance has been effected and service may be instituted.

It is further ordered, That upon the authority herein granted
becoming effective, failure of the Applicant to maintain compliance with
statutory and Commission requirements shall constitute sufficient grounds
for suspension, change or revocation of the said authority.

It is further ordered, That if Applicant fails to comply with all applicable statutory and Commission requirements, rules and regulations within fifteen (15) days from the date hereof, this Order shall be of no further force and effect.

It is further ordered, That the authority herein granted shall create no presumption that corresponding permanent authority will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners

Dated at Denver, Colorado,
this 21st day of June, 1971.

js

(Decision No. 77985)
June 21, 1971

APPENDIX

Application No. 25034-PP-TA

Wilkins Transportation, Inc.
343 South Vernal Avenue
Vernal, Utah

By Order of the Commission which this appendix is a part hereof, entered under the name and number shown above, Applicant, upon compliance with the conditions set forth therein and after receipt of notice in writing from the Commission that said conditions have been met, is authorized to engage in the business of transportation by motor vehicle as follows:

TIME FOR WHICH TEMPORARY AUTHORITY IS GRANTED - 165 days or until such time as the decision of the Commission on the corresponding permanent application of the Applicant becomes final, whichever occurs first.

TYPE OF CARRIER - Contract

SERVICE AUTHORIZED:

Temporary authority to operate as a class "B" contract carrier by motor vehicle with authority as follows:

"Transportation of

Passengers and their baggage and equipment

Between all points located within the County of Moffat,
State of Colorado.

RESTRICTION: This temporary authority is restricted to rendering transportation service for only Adventure Bound, Incorporated, of Denver, Colorado."

(Decision No. 77986)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JAY O. GUY, DOING BUSINESS AS "JAY O.)
GUY CONSTRUCTION," ROUTE 3, BOX 262B,)
BRIGHTON, COLORADO, FOR AUTHORITY TO)
OPERATE AS A CLASS "B" CONTRACT CARRIER)
BY MOTOR VEHICLE.)

APPLICATION NO. 25041-PP
ORDER OF THE COMMISSION

- - - - -
June 22, 1971
- - - - -

It appearing, That by Order of the Commission dated June 9, 1971, notice of the filing of the above-entitled application was given to all interested persons, firms and corporations pursuant to CRS 1963, 115-6-8(2);

It further appearing, That no protest, objection or petition to intervene or otherwise participate in the proceeding has been filed by any person within the time prescribed by the Commission in said Order, and that the herein proceeding is therefore noncontested and unopposed;

It further appearing, That pursuant to CRS 1963, 115-6-9(5), the herein matter is one which may properly be determined without the necessity of a formal oral hearing and that the taking of evidence in this proceeding should be by reference to the verified application as filed with the Commission together with such additional information or data as may have been required of Applicant in connection with said filing, and the files and records of the Commission;

And it further appearing, That the evidence thus submitted amply warrants the grant of authority as hereinafter ordered;

Wherefore, and good cause appearing therefor:

We find, That there is a present and special need for Applicant's transportation services as hereinafter ordered;

We further find, That it does not appear that the grant of authority as hereinafter ordered will impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes;

We further find, That the grant of authority as hereinafter ordered should be identified and be known as "Permit No. B-7229", being the number of a permit formerly held by Applicant.

And we further find, That Applicant is fit, willing and able properly to perform the service as hereinafter granted and to conform to the applicable statutory requirements and the Commission's rules and regulations thereunder, and that an appropriate Order should be entered; and

It is ordered, That Jay O. Guy, doing business as "Jay O Guy Construction," Route 3, Box 262B, Brighton, Colorado, be, and hereby is, authorized to operate as a class "B" contract carrier by motor vehicle for hire for the following:

"Transportation of

- (1) 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 (100) miles of said pits and supply points;

- (2) 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 one hundred (100) miles of said pits and supply points;

- (3) Sand, gravel, dirt, stone and refuse

From and to building construction jobs, to and from points within a radius of one hundred (100) miles of said jobs;

- (4) Insulrock

From pits and supply points in the State of Colorado to roofing jobs within a radius of one hundred (100) miles of said pits and supply points;

RESTRICTION: This Permit is restricted against the use of tank vehicles when transporting road-surfacing materials."

It is further ordered, That the above class "B" motor vehicle contract carrier operations shall be designated and assigned the number "B-7229," and this Order shall be deemed to be, and be, a PERMIT therefor.

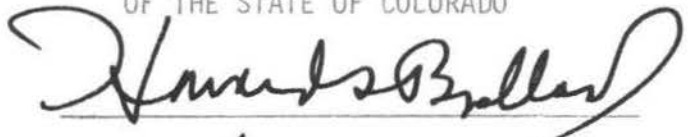
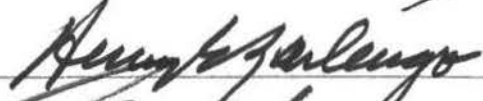

It is further ordered, That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this Permit as deemed advisable.

It is further ordered, That this Order is the Permit herein provided for, but it shall not become effective until Applicant has filed a statement of customers, the necessary tariffs, required insurance, and has secured authority sheets.

It is further ordered, That the right of Applicant to operate hereunder shall depend upon compliance with all present and future laws and rules and regulations of the Commission.

And it is further ordered, That this Order shall become effective twenty-one (21) days from the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
22nd day of June, 1971.

vjr

(Decision No. 77987)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
ANTHONY MARINO, 3124 BLACKHAWK STREET,)	APPLICATION NO. 25042-PP
AURORA, COLORADO, FOR AUTHORITY TO)	
OPERATE AS A CLASS "B" CONTRACT)	ORDER OF THE COMMISSION
CARRIER BY MOTOR VEHICLE.)	

- - - - -
June 18, 1971
- - - - -

It appearing, That by Order of the Commission dated June 9, 1971, notice of the filing of the above-entitled application was given to all interested persons, firms and corporations pursuant to CRS 1963, 115-6-8 (2);

It further appearing, That no protest, objection or petition to intervene or otherwise participate in the proceeding has been filed by any person within the time prescribed by the Commission in said Order, and that the herein proceeding is therefore noncontested and unopposed;

It further appearing, That pursuant to CRS 1963, 115-6-9 (5) the herein matter is one which may properly be determined without the necessity of a formal oral hearing and that the taking of evidence in this proceeding should be by reference to the verified application as filed with the Commission together with such additional information or data as may have been required of Applicant in connection with said filing, and the files and records of the Commission;

And it further appearing, That the evidence thus submitted amply warrants the grant of authority as hereinafter ordered;

Wherefore, and good cause appearing therefor:

We find, That there is a present and special need for Applicant's transportation services as hereinafter ordered;

We further find, That it does not appear that the grant of authority as hereinafter ordered will impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes;

We further find, That the grant of authority as hereinafter ordered should be identified and be known as "Permit No. B-6784," being the number of a permit formerly held by Applicant.

And we further find, That Applicant is fit, willing and able properly to perform the service as hereinafter granted and to conform to the applicable statutory requirements and the Commission's rules and regulations thereunder, and that an appropriate order should be entered; and

It is ordered, That Anthony Marino, 3124 Blackhawk Street, Aurora, Colorado, be, and hereby is, authorized to operate as a class "B" contract carrier by motor vehicle for hire for the following:

"Transportation of

- (1) Sand, gravel and other road-surfacing materials used in the construction of roads and highways

From pits and supply points in the State of Colorado to road jobs, mixer and processing plants within a radius of seventy-five (75) miles of said pits and supply points;

- (2) 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 seventy-five (75) miles of said pits and supply points;

- (3) Sand, gravel, dirt, stone and refuse

From and to building construction jobs, to and from points within a radius of seventy-five (75) miles of said jobs;

- (4) Insulrock

From pits and supply points in the State of Colorado to roofing jobs within a radius of seventy-five (75) miles of said pits and supply points;

RESTRICTION: This Permit is restricted against the use of tank vehicles when transporting road-surfacing materials."

It is further ordered, that the above class "B" motor vehicle contract carrier operations shall be designated and assigned the number "B-6784," and this Order shall be deemed to be, and be, a PERMIT therefor.

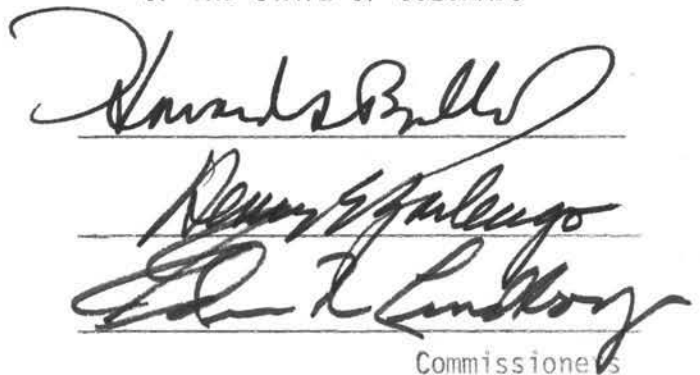
It is further ordered, That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this Permit as deemed advisable.

It is further ordered, That this Order is the Permit herein provided for, but it shall not become effective until Applicant has filed a statement of customers, the necessary tariffs, required insurance, and has secured authority sheets.

It is further ordered, That the right of Applicant to operate hereunder shall depend upon compliance with all present and future laws and rules and regulations of the Commission.

And it is further ordered, That this Order shall become effective twenty-one days from the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 18th day of June, 1971.
hbp

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
MOUNTAIN MOTORWAY, INC., 1546 MINER)	
STREET, IDAHO SPRINGS, COLORADO, FOR)	
EMERGENCY TEMPORARY APPROVAL TO	)	APPLICATION NO. 25055-ETA
CONDUCT OPERATIONS UNDER CERTIFICATE)	
OF PUBLIC CONVENIENCE AND NECESSITY)	
PUC NO. 6557.)	

IN THE MATTER OF THE APPLICATION OF)	
MOUNTAIN MOTORWAY, INC., 1546 MINER)	
STREET, IDAHO SPRINGS, COLORADO, FOR)	
EMERGENCY TEMPORARY APPROVAL TO	)	APPLICATION NO. 25056-ETA
CONDUCT OPERATIONS UNDER CERTIFICATE)	
OF PUBLIC CONVENIENCE AND NECESSITY)	
PUC NO. 8045.)	

ORDER GRANTING EMERGENCY TEMPORARY APPROVAL

June 18, 1971

The above-entitled application under CRS 1963, 115-6-20 (4),
being under consideration, and

It appearing, That appropriate application has been made to
this Commission for permanent authority to transfer Certificates of Public
Convenience and Necessity PUC No. 6557 and PUC No. 8045 to the above-
named Transferee;

It further appearing, That there is an immediate and urgent
need for the emergency temporary approval herein sought, and

It further appearing, That failure to immediately grant
emergency temporary approval may result in the destruction of, or injury
to, such carrier or carrier properties sought to be acquired, or to
interfere substantially with their future usefulness in the performance
of adequate and continuous service to the public;

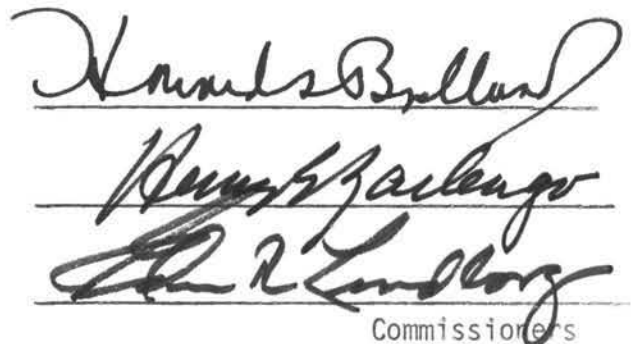
It further appearing, That said circumstances constitute an
emergency requiring the immediate issuance of temporary approval;

It is ordered, That Mountain Motorway, Inc., 1546 Miner Street, Idaho Springs, Colorado, be, and is hereby, granted emergency temporary approval for a period of fifteen (15) days commencing June 18, 1971, to operate under Certificat~~s~~ of Public Convenience and Necessity PUC No. 6557 and PUC No. 8045; conditioned upon full compliance with all applicable statutory and Commission requirements, rules and regulations, to engage in the business of transportation by motor vehicle.

It is further ordered, That the service provided for in this Order shall not be commenced until all requirements have been met and Applicant has received notice in writing from the Commission that compliance has been effected and service may be instituted.

And it is further ordered, That the approval herein granted shall create no presumption that corresponding temporary or permanent approval will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 18th day of June, 1971.
hbp

(Decision No. 77989)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
SAN JUAN TOURS, INC., 10 LAKE CIRCLE,)	
BROADMOOR, COLORADO SPRINGS, COLORADO,	)	APPLICATION NO. 25025-Transfer-TA
FOR TEMPORARY APPROVAL TO CONDUCT)	
OPERATIONS UNDER CERTIFICATE OF PUBLIC	)	ORDER GRANTING TEMPORARY APPROVAL
CONVENIENCE AND NECESSITY PUC NO. 55)	
AND PUC NO. 55-I.)	

- - - - -
June 21, 1971
- - - - -

The above-entitled application under CRS 1963, 115-6-20 (2),
being under consideration, and

It appearing, That appropriate application has been made to
this Commission for permanent authority to transfer Certificate of Public
Convenience and Necessity PUC No. 55 and PUC No. 55-I to the above-
named Transferee;

It further appearing, That failure to grant temporary approval
may result in destruction of, or injury to, the Applicant or interfere
substantially with its future usefulness in the performance of adequate
and continuous service to the public;

It is ordered, That Transferee be, and is hereby, granted
temporary approval, conditioned upon full compliance with all applicable
statutory and Commission requirements, rules and regulations, to engage
in the business of transportation by motor vehicle to the extent and in
the manner set forth in the appendix attached hereto.

It is further ordered, That the service provided for in the
Order shall not be commenced until all requirements have been met and
Transferee has received notice in writing from the Commission that
compliance has been effected and service may be instituted.


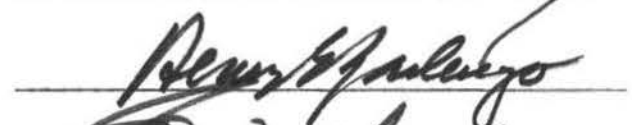

It is further ordered, That upon the approval herein granted
becoming effective, failure of the Transferee to maintain compliance

with statutory and Commission requirements shall constitute sufficient grounds for suspension, change or revocation of the said approval.

It is further ordered, That if Transferee fails to comply with all applicable statutory and Commission requirements, rules and regulations within fifteen (15) days from the date hereof, this Order shall be of no further force and effect.

It is further ordered, That the approval herein granted shall create no presumption that corresponding permanent approval will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 21st day of June, 1971.
hbp

APPENDIX

Application No. 25025-Transfer-TA

San Juan Tours, Inc.
10 Lake Circle, Broadmoor
Colorado Springs, Colorado

By Order of the Commission which this appendix is a part hereof, entered under the name and number shown above, Applicant, upon compliance with the conditions set forth therein and after receipt of notice in writing from the Commission that said conditions have been met, is authorized to engage in the business of transportation by motor vehicle as follows:

TIME FOR WHICH TEMPORARY APPROVAL IS GRANTED - 165 days or until such time as the decision of the Commission on the corresponding permanent application of the Applicant becomes final, whichever occurs first.

TYPE OF CARRIER - Common

SERVICE AUTHORIZED:

Temporary approval to conduct operations under Certificate of Public Convenience and Necessity PUC No. 55 and PUC No. 55-I with authority as follows:

- "1. Transportation of passengers in charter service between Denver, Greeley, Fort Collins, Loveland, Longmont, Boulder, Estes Park, Lyons and Idaho Springs, Colorado, to and from all points in the State of Colorado.
2. Transportation of passengers in charter and sightseeing service between all points in the City and County of Denver, Colorado.
3. Transportation of passengers and express on schedule, and the operation of a sightseeing service, between the points and over the following routes:
 - (1) Denver to Estes Park, via Longmont, Berthoud, Loveland and Big Thompson Canyon, and return.
 - (2) Denver to Estes Park, via Longmont, Lyons, and North St. Vrain and return.
 - (3) Denver to Estes Park, via Longmont, Lyons, and South St. Vrain, Allenspark, Copeland Lake, and Longs Peak, and return.

- (4) Denver to Estes Park, via Boulder and Lyons, and return, either North or South St. Vrain, and between intermediate points.
 - (5) Longmont to Estes Park, via Lyons and North St. Vrain, and return.
 - (6) Longmont to Estes Park, via Lyons, South St. Vrain, Allenspark, Copeland Lake and Longs Peak, and return; also intermediate points between Lyons and Estes Park.
 - (7) Loveland to Estes Park and intermediate points, and return.
 - (8) Fort Collins to Estes Park and intermediate points, and return.
 - (9) Grand Lake to Denver, via Berthoud Pass and intermediate points, and return.
 - (10) Estes Park to Long Peak and intermediate points, and return.
 - (11) Denver to Estes Park, via Greeley, and return; also intermediate points between Greeley and Estes Park, but no local business to or from Greeley and Denver or points intermediate.
 - (12) Greeley to Estes Park, via Loveland and intermediate points, and return.
 - (13) Boulder to Estes Park, via Lyons and North or South St. Vrain, and return.
 - (14) Estes Park to Drake, via North Big Thompson, and return.
 - (15) Estes Park to Grand Lake and return.
 - (16) Estes Park to Horseshoe Park to Moraine Park to Glacier Basin to Bear Lake to YMCA Conference Camp to Estes Park, in either direction.
 - (17) Grand Lake to Granby, and return.
4. Transportation of passengers, and express on schedule and the operation of a sightseeing service, and the transportation of packages and light parcels in any type of vehicle, between the points and over the following routes:
- (1) Denver to Golden to Lookout to Bergen Park to Evergreen to Morrison to Denver, or vice versa.
 - (2) Denver to Lookout Mountain and return, via Golden, or return via Mt. Vernon Canon.
 - (3) Denver to Golden to Lookout to Bergen Park to Echo Lake to top Mt. Evans, return via Deer Creek Canon and Turkey Creek Canon to Denver.
 - (4) Denver to Echo Lake and return, via Squaw Pass and Bergen Park.

- (5) Denver to Echo Lake via Bergen Park and Squaw Pass, return via Chicago Creek to Idaho Springs to Bergen Park to Evergreen and Morrison.
- (6) Denver to Georgetown and Silver Plume and return via Bear Creek.
- (7) Golden to the bottom of Floyd Hill at the junction of U.S. Highway No. 40 and U.S. Highway No. 6, via Lookout Mountain or via Mt. Vernon Canon.
- (8) Between all points within the City and County of Denver, Colorado.

RESTRICTION:

Route No. Eight (8) is restricted against scheduled operations and taxicab service.

- 5. Transportation of passengers in sightseeing service from Denver, Boulder, Longmont, Loveland, Fort Collins and Estes Park, State of Colorado on the one hand to all points and places in Colorado on the other hand.

RESTRICTION:

Rates charged under Item No. Five (5) shall in all cases be non-competitive (higher) than the rates for charter and scheduled line haul transportation by authorized carriers between the same points.

- 6. Authorized to use equipment in the State of Colorado as a common carrier 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."

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF ROCKY)
MOUNTAIN MOTOR COMPANY, INC., DOING BUSINESS)
AS COLORADO TRANSPORTATION COMPANY, DENVER)
CAB CO., GRAY LINE SIGHTSEEING CO., ROCKY)
MOUNTAIN PARKS TRANSPORTATION CO., 3455)
RINGSBY COURT, DENVER, COLORADO, FOR AUTH-)
ORITY TO TRANSFER PUC NO. 55 AND PUC NO. 55-I) APPLICATION NO. 25025-Transfer
TO SAN JUAN TOURS, INC., P.O. BOX 2378 AND)
TO LAKE CIRCLE, BROADMOOR, COLORADO SPRINGS,)
COLORADO.)

June 21, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On May 28, 1971, the above-entitled application was filed with the Commission and notice thereof was given on June 9, 1971.

On June 9, 1971, the Amalgamated Transit Union, Division 1001, by and through its attorneys, Philip Hornbein, Jr., and Roy O. Goldin, filed a Petition to Intervene in the above-captioned proceedings.

The Commission states and finds that Applicant for intervention is a party who may or might be affected by any order which may be entered in this proceeding and that the intervention should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS THAT:

The Petition to Intervene by Amalgamated Transit Union, Division 1001, be, and the same hereby is, granted.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Harold S. Bullard
Henry H. Gault
Ed. H. Lullberg
Commissioners

Dated at Denver, Colorado,
this 21st day of June, 1971.

hbp

(Decision No. 77991)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: AIR CARRIER OPERATIONS OF	)	PUC NO. ACS-60
COL-ORO CORPORATION, DOING BUSINESS)	
AS "MOUNTAIN WEST AIRLINES CO.,")	
P. O. BOX 1689, ASPEN, COLORADO.)	

ORDER GRANTING ADDITIONAL EXTENSION OF TIME
FOR FILING EXCEPTIONS

- - - - -
June 21, 1971
- - - - -

Appearances: Michael Fitzgerald, Esq., Aspen,
Colorado, for Applicant;
Dalton O. Ford, Denver, Colorado,
of the Staff of the Commission

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On May 17, 1971, the Recommended Decision No. 77646 of Robert L. Pyle, Examiner, was entered and served upon the parties. On June 8, 1971, by Decision No. 77836, the Commission granted Applicant an extension of time to file exceptions to the said Recommended Decision up to and including June 21, 1971.

On June 17, 1971, Applicant, by and through its attorney Arthur R. Hauver, filed with the Commission a request for an additional extension of time to file exceptions to Recommended Decision No. 77646 until twenty (20) days after the certification of the transcript of the reporter.

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

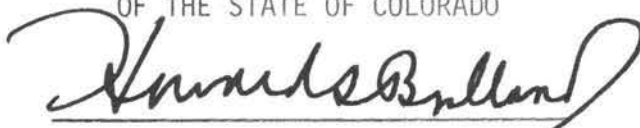
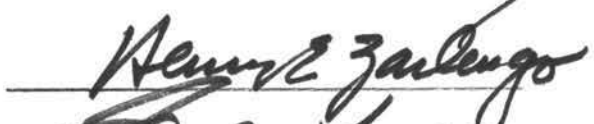

O R D E R

THE COMMISSION ORDERS THAT:

Applicant, Col-Oro Corporation, doing business as "Mountain West Airlines Co.," be, and hereby is, granted an extension of time within which to file exceptions to the said Recommended Decision of the Examiner until twenty (20) days after the certification of the transcript of the proceedings by the official reporter.

This Order shall be effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 21st day of June, 1971.

JS

(Decision No. 77992)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	APPLICATION NO. 24705-PP-Transfer
WRIGHT RIG COMPANY, INC., P. O. BOX)	
20367, DENVER, COLORADO, FOR AUTHORITY)	
TO TRANSFER PERMIT NO. B-4385 AND)	
PERMIT NO. B-4385-I TO GETTER)	
TRUCKING, INC., A MONTANA CORPORATION,)	
P. O. BOX 368, CUT BANK, MONTANA.)	

- - - - -
June 21, 1971
- - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On December 18, 1970, Applicants filed the above-captioned application with the Commission. On December 23, 1970, the Commission sent Notice of Applications Filed to all interested persons, firms or corporations. On April 12, 1971, the above-captioned application was set for hearing on Friday, June 25, 1971, at 10 a.m. in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado.

On June 17, 1971, Applicants' attorney John H. Lewis informed the Commission by letter that the hearing in the above-entitled matter be cancelled and the application dismissed.

The Commission states and finds that the application should be permitted to be dismissed and the hearing thereon vacated.

O R D E R

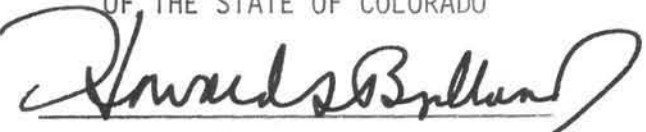
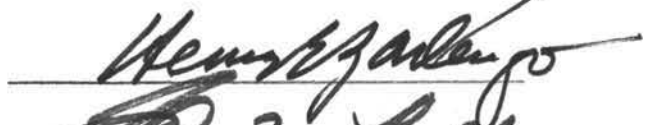

THE COMMISSION ORDERS THAT:

1. Application No. 24705-PP-Transfer, be, and hereby is, dismissed.

2. The hearing with regard to the above-styled application scheduled for Friday, June 25, 1971, at 10 a.m. in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, be, and hereby is, vacated.

This Order shall be effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 21st day of June, 1971.

js

(Decision No. 77993)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF

HUCKABEE TRANSPORTS, INC.
P. O. BOX 47
LUBBOCK, TEXAS 79408

AUTHORITY NO. 5461-I

CASE NO. 2684-H-Ins.

June 18, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On June 14, 1971 , in the above-entitled Case, the Commission entered its Order revoking the above authority for failure to maintain effective insurance on file with the Commission.

The records of the Commission now disclose that proper insurance filing has been made.

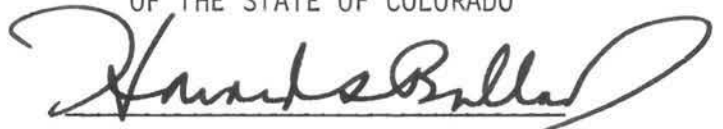
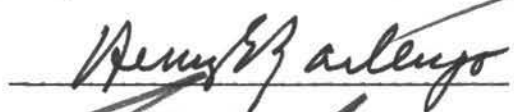

The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

O R D E R

THE COMMISSION ORDERS:

That the herein 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




Commissioner

Dated at Denver, Colorado,
this 18th day of June, 1971

(Decision No. 77994)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

ROCKY MOUNTAIN MOTOR COMPANY, INC.)
3455 RINGSBY COURT,)
DENVER, COLORADO,)
Complainant,)
vs.)
CONTINENTAL BUS SYSTEM, INC. (ROCKY)
MOUNTAIN LINES DIVISION),)
AMERICAN BUS LINES, INC.,)
DENVER-COLORADO SPRINGS-PUEBLO)
MOTORWAY, INC., DENVER-SALT LAKE)
- PACIFIC STAGES,)
2450 STOUT STREET,)
DENVER, COLORADO,)
Respondents.)

CASE NO. 5436

ORDER GRANTING ADDITIONAL EXTENSION OF TIME
FOR FILING EXCEPTIONS

- - - - -
June 18, 1971
- - - - -

Appearances: Walter M. Simon, Esq., Denver, Colorado,
for Complainant;
John R. Barry, Esq., Denver, Colorado,
for Respondents.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On May 19, 1971, the Recommended Decision No. 77667 of Robert L. Pyle, Examiner, was entered and served upon the parties. On June 10, 1971, by Decision No. 77873, the Commission granted Respondents up to and including June 18, 1971, to file Exceptions to said Recommended Decision.

On June 18, 1971, Respondents, by and through their attorney, John R. Barry, filed with the Commission a request for an additional extension of time to file exceptions to the Recommended Decision of the Examiner up to and including June 28, 1971.

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


O R D E R

THE COMMISSION ORDERS THAT:

Respondents Continental Bus System, Inc. (Rocky Mountain Lines Division), American Bus Lines, Inc., Denver-Colorado Springs-Pueblo Motorway, Inc., and Denver-Salt Lake-Pacific Stages, be, and hereby are, granted an additional extension of time within which to file exceptions to the Recommended Decision of the Examiner up to and including June 28, 1971.

This Order shall be effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

COMMISSIONER HENRY E. ZARLENGO
NECESSARILY ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 18th day of June, 1971.
js

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: ITEM 575, (SINGLE SHIPMENT
CHARGE) COLORADO MOTOR CARRIERS'
ASSOCIATION, AGENT, LOCAL AND JOINT
CLASS AND COMMODITY TARIFF 12-B,
COLORADO PUC NO. 19, MF-ICC 8

Investigation and Suspension
Docket No. 683

June 21, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On April 4, 1971, J. R. Smith, Chief of Tariff Bureau, Colorado Motor Carriers' Association, Agent, for and on behalf of carriers participating in the supra tariff, filed 2nd Revised Page No. 93, adding Item No. 575, pertaining to a single shipment charge of \$1.50, applicable to, - "When only one shipment of less than 500 pounds is picked up at one time and place from one consignor such shipment to be subject to this charge in addition to all other lawfully applicable charges," plus other provisions contained therein.

On April 30, 1971, by Decision No. 77513, said Item No. 575 was suspended for investigation into and concerning the lawfulness of the rates and charges contained therein, and set for hearing before the Commission on the 20th day of July, 1971. The Commission now finds that said hearing date should be vacated and reset for August 30, 1971, at 10:00 a.m., combining it with the Investigation and Suspension Docket No. 686, which includes Amendment No. 9, Tariff 12-B, Colorado PUC 19.

ORDER

THE COMMISSION ORDERS:

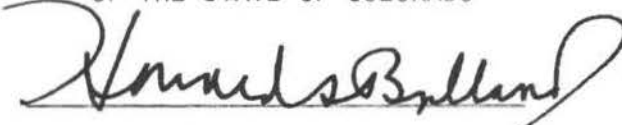
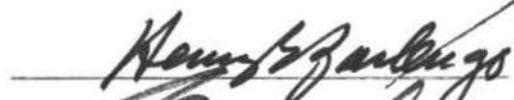

1. That the Statement and Findings herein be, and same are hereby, made a part hereof.

2. That the hearing set for the 20th day of July, 1971, be, and it hereby is, vacated and reset for hearing which will commence on August 30, 1971, at 10:00 a.m., in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203.

3. That the period of suspension now set to expire on September 20, 1971, be, and it hereby is, extended to and including December 19, 1971.

4. That, except as ordered herein regarding the hearing date and suspension period, the provisions of Decision No. 77513, dated April 30, 1971, shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
21st day of June, 1971. av

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	APPLICATION NO. 24751-Transfer
EDITH V. HODGSON, DOING BUSINESS AS)	
"HODGSON TRANSFER," 1790 FOREST,)	SUPPLEMENTAL ORDER
BOULDER, COLORADO, FOR AUTHORITY TO)	
TRANSFER CERTIFICATE OF PUBLIC CON-)	
VENIENCE AND NECESSITY PUC NO. 62,)	
TO HARLEY I. KEETER, JR., 6379)	
VALMONT DRIVE, BOULDER, COLORADO.)	

- - - - -
June 21, 1971
- - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On February 26, 1971, the Commission entered its Decision No. 77011 authorizing the transfer of Certificate of Public Convenience and Necessity PUC No. 62 from Edith V. Hodgson, doing business as "Hodgson Transfer," 1790 Forest, Boulder, Colorado, to Harley I. Keeter, Jr., 6379 Valmont Drive, Boulder, Colorado. The operating authority under Certificate of Public Convenience and Necessity PUC No. 62 was re-described to eliminate superfluous language as set forth in said Decision No. 77011.

Attention of the Commission has now been directed to the fact that the redescription of the authority contained under said Certificate of Public Convenience and Necessity PUC No. 62 has caused serious ramification in pending litigation in the Boulder County District Court.

The Commission states and finds that Decision No. 77011, dated February 26, 1971, should be amended pursuant to CRS 1963, 115-6-12 as set forth in the Order following; and that notice thereof be given as provided therein.

O R D E R

THE COMMISSION ORDERS:

That Commission Decision No. 77011 dated February 26, 1971, be, and the same hereby is, amended by striking therefrom the description of authority under Certificate of Public Convenience and Necessity PUC No. 62 as it appears on page 2 of said Decision No. 77011 so that said operating authority shall appear as follows:

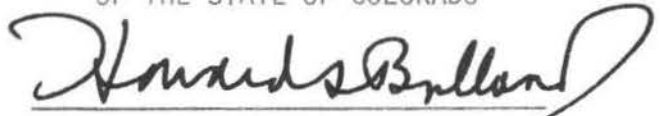
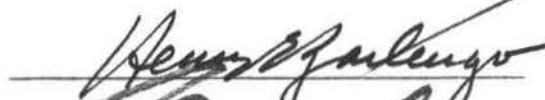

"Transportation of freight, generally (which included ores and concentrates), between points in the territory or area indicated on the map attached to the application, which by reference is made a part hereof, and which, generally speaking, covers the county of Gilpin and that part of Boulder County which is west of a line drawn north and south through Lyons, and lies south of the North St. Vrain Creek, including without limiting the generality of the foregoing the right to transport such freight 'on schedule over fixed routes' or 'on call and demand' over 'irregular routes.' "

That notice of the amendment herein be and hereby is, given to all parties to the above-entitled application.

That any objection by any party hereto, to this Decision and Order shall be filed on or before June 28, 1971; the timely filing of such objection shall automatically stay and suspend this Decision and Order.

That this Order shall become effective June 28, 1971.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 21st day of June, 1971.
js

(Decision No. 77997)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
FAY S. PATTON)
506 - 28 $\frac{1}{4}$ Road, Box 15)
Grand Junction, Colorado 81501)
-----)

PERMIT NO. M-4323

June 22, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

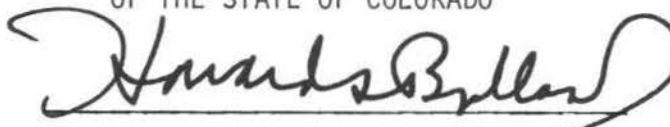

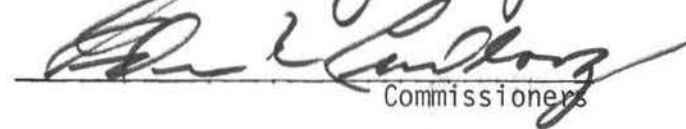
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective June 6, 1971.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 22nd day of June, 1971.

vjr

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
MICHAEL ROCCO)
ROUTE 1, BOX 207)
BROOMFIELD, COLORADO 80020)
-----)

PERMIT NO. M-4933

June 22, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

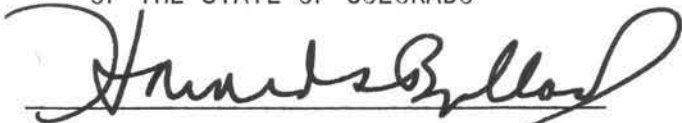
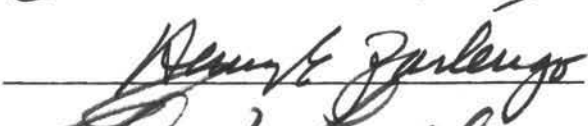

The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective June 6, 1971.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 22nd day of June, 1971.
vjr

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
NORTH FORK CREAMERY ASSOCIATION)
HOTCHKISS)
COLORADO 81419)
-----)

PERMIT NO. M-5755

June 22, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

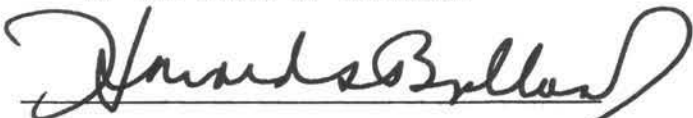


The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective June 14, 1971.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 22nd day of June, 1971.
vjr

(Decision No. 78000)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
STEVE KOPIC, JOE JAVERNICK AND)
HARRY JAVERNICK DOING BUSINESS AS)
LAST CHANCE COAL COMPANY)
1114 SOUTH 4TH STREET)
CANON CITY, COLORADO 81212)

PERMIT NO. M-6187

June 22, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

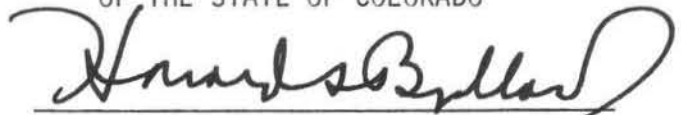
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

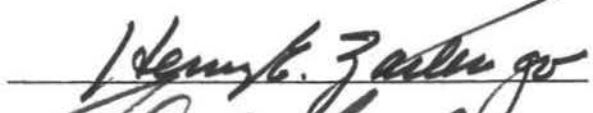
O R D E R


THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective June 6, 1971.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO






Commissioners

Dated at Denver, Colorado,
this 22nd day of June, 1971.

vjr

(Decision No. 78001)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
ELMER D. LOGGAINS)
2019 SOUTH CORONA AVENUE)
COLORADO SPRINGS, COLORADO 80906)

PERMIT NO. M-8636

June 22, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

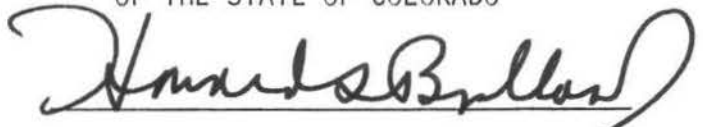
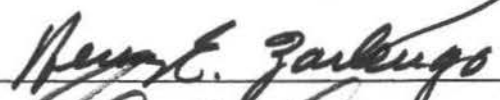
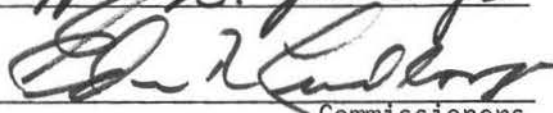
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective June 19, 1971.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 22nd day of June, 1971.
vjr

(Decision No. 78002)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
LEROY E. SCHNELL)
ROUTE 1, BOX 7)
HENDERSON, COLORADO 80640)

PERMIT NO. M-8879

June 22, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

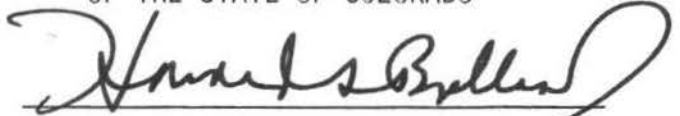
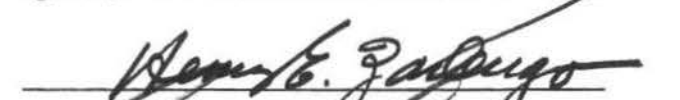
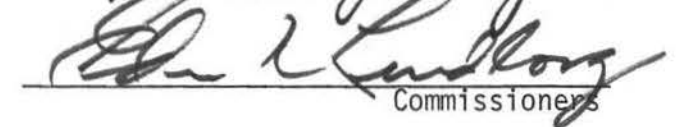
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective June 5, 1971.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 22nd day of June, 1971.
vjr

(Decision No. 78003)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
TED WEINREICH DOING BUSINESS AS)
CURTIS PARK MARKET)
2960 ARAPAHOE STREET)
DENVER, COLORADO 80205)

PERMIT NO. M-9605

June 22, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

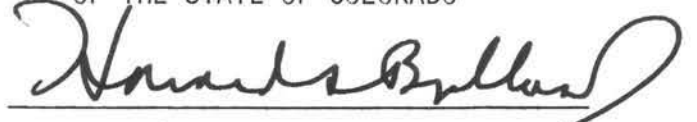
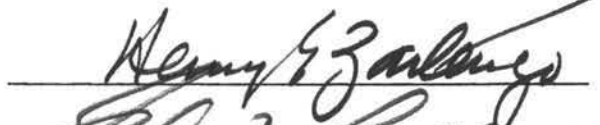

The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective June 7, 1971.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 22nd day of June, 1971.

vjr

(Decision No. 78004)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
WALTER LEE BROOKS DOING BUSINESS AS)
BROOKS NEW & USED CARS)
95 BROADWAY VILLAGE)
MESQUITE, TEXAS 75149)

PERMIT NO. M-12010

June 22, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

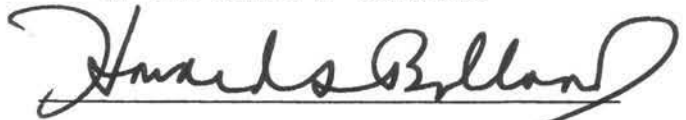

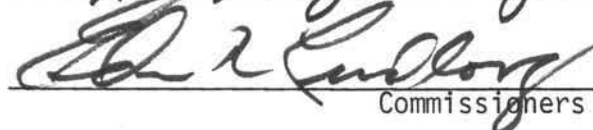
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective June 4, 1971.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 22nd day of June, 1971.
vjr

(Decision No. 78005)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
JAMES V. PIRO DOING BUSINESS AS)
PIRO HAULING COMPANY)
3812 MADISON STREET)
DENVER, COLORADO 80205)

PERMIT NO. M-13864

June 22, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

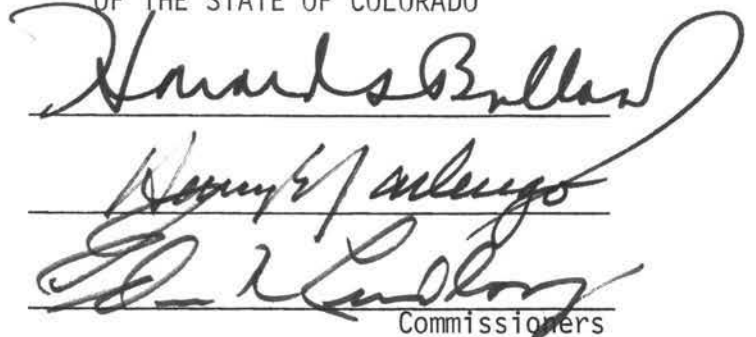
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective June 3, 1971.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 22nd day of June, 1971.
vjr

(Decision No. 78006)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
FRANK J. GALLEGOS)
313 DAVIS STREET)
MONTE VISTA, COLORADO 81144)
-----)

PERMIT NO. M-15943

June 22, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

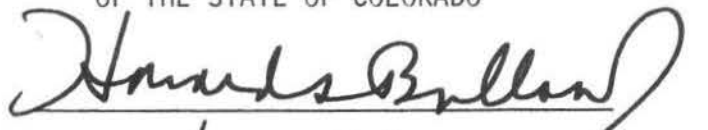
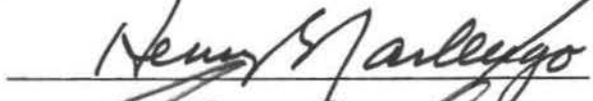

The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective June 23, 1971.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 22nd day of June, 1971.
vjr

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	APPLICATION NO. 24742-Clarification
M. DALE BOOK, DOING BUSINESS AS)	
"BOOK TRUCK LINE," 5600 EAST PIKES)	RECOMMENDED DECISION OF
PEAK, COLORADO SPRINGS, COLORADO,)	ROBERT L. PYLE, EXAMINER
TO CLARIFY PUC NO. 420 AND PUC NO.)	
420-I.)	

- - - - -
June 22, 1971
- - - - -

Appearances: David E. Driggers, Esq.,
Denver, Colorado, for
Applicant.
Orville Dunlap & Son,
Montrose, Colorado,
Protestant, pro se.
William T. Secor, Esq.,
Longmont, Colorado,
for Sorenson Truck
Service, Inc., and
Bates & Sons, Inc.,
Protestants.
John P. Thompson, Esq.,
Denver, Colorado, for
Roy F. Woodard, doing
business as "Deertrail Truck
Line"; Gareld E. Duncan
doing business as "Duncan
Truck Line"; Carl R. Gartrell,
doing business as "Eastern
Colorado Transportation";
Link Truck Line, Inc.; R & K
Trucking, Inc.; and Claude
J. Schmatjen, Protestants.
Dalton O. Ford, Denver, Colorado,
of the Staff of the Commission.

PROCEDURE AND RECORD

Under date of January 14, 1971, Applicant filed the above-entitled application with this Commission for authority to clarify its authority as a common carrier by motor vehicle for hire under Certificates of Public Convenience and Necessity PUC No. 420 and PUC No. 420-I as specifically set forth in said application.

The Commission assigned Docket No. 24742-Clarification to the application and gave due notice of the filing of the application in accordance with the provisions of 115-6-8 (2), CRS 1963, as amended.

The following protests were received subsequent to the filing of the application: On February 1, 1971, a protest of Orville Dunlap & Son; on February 16, 1971, a protest of Green Trucking Inc.; on February 18, 1971, a protest of Sorenson Truck Service, Inc. and Bates & Sons, Inc.; and on February 19, 1971, a protest of Roy F. Woodard, doing business as "Deertrail Truck Line"; Gareld E. Duncan, doing business as "Duncan Truck Line"; Carl R. Gartrell, doing business as "Eastern Colorado Transportation"; Link Truck Line, Inc.; R & K Trucking, Inc.; and Claude J. Schmatjen.

Pursuant to law, the Commission designated Robert L. Pyle as Examiner for the purpose of conducting a hearing on this application and, after due and proper notice to all interested persons, firms, or corporations, set the herein matter for a hearing to be held in the Hearing Room of the Commission, Columbine Building, 1845 Sherman Street, Denver, Colorado, on June 18, 1971, at 10 a.m. The hearing was held at the said time and place.

Protestant, Orville Dunlap & Son, did not appear at the hearing and said protest is hereby dismissed for failure to appear.

As a preliminary matter and before the taking of evidence, the parties entered into a stipulation as to a rewording of the second paragraph of Certificate of Public Convenience and Necessity PUC No. 420 as follows:

"Transportation, on call and demand, of livestock

between points located within the town of Limon, Colorado, on the one hand, and, on the other hand, points within a radius of 150 miles of Limon, Colorado."

At the conclusion of the hearing, the subject matter was taken under advisement.

Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes (1963), as amended, Examiner Robert L. Pyle now transmits herewith to the Commission the record and exhibits of this proceeding together with a written recommended decision which contains his findings of fact and conclusions thereon, together with the recommended order or requirement.

FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact that:

1. Applicant is an individual, doing business as "Book Truck Line," and is the owner and operator of Certificates of Public Convenience and Necessity PUC No. 420 and PUC No. 420-I.
2. By the instant application, Applicant seeks a clarification of paragraph (2) of the aforementioned certificate of public convenience and necessity. This is the paragraph having to do with the transportation of livestock to and from Limon, Colorado.
3. Applicant also holds Certificate of Public Convenience and Necessity PUC No. 6388, which is not material to this proceeding.
4. The application was protested by Sorenson Truck Service, Inc.; Bates & Sons, Inc.; Roy F. Woodard, doing business as "Deertrail Truck Line"; Gareld E. Duncan, doing business as "Duncan Truck Line"; Carl R. Gartrell, doing business as "Eastern Colorado Transportation"; Link Truck Line, Inc.; R & K Trucking, Inc.; and Claude J. Schmatjen.
5. It was agreed by all parties that the paragraph in question was not a "point-to-point" authority covering a radius of 150 miles of Limon, Colorado, but, in fact, was an "in-and-out" authority and that all shipments must originate or terminate in the Town of Limon, Colorado.

6. It was stipulated and agreed that paragraph No. 2 of the authority should henceforth read as follows:

"Transportation, on call and demand, of
livestock

between points located within the Town of Limon,
Colorado, on the one hand, and, on the other
hand, points within a radius of 150 miles of
Limon, Colorado."

CONCLUSIONS ON FINDINGS OF FACT

Based on the aforesaid findings of fact, it is concluded that:

1. Paragraph (2) of Certificates of Public Convenience and Necessity PUC No. 420 and PUC No. 420-I should be changed to read as herein-after set forth.

2. Pursuant to 115-6-9 (2), CRS 1963, as amended, it is recommended by the Examiner that the Commission enter the following

O R D E R

THE COMMISSION ORDERS:

1. That Certificates of Public Convenience and Necessity PUC No. 420 and PUC No. 420-I shall henceforth read and be as follows:

"Transportation, on call and demand, over irregular
routes, of

farm produce, including livestock, farm equipment and
supplies, including household goods,

between points within an area extending thirty (30) miles
north, east and west and twenty (20) miles south of
Karval, Colorado, and from and to points in said area,
to and from points within a one-hundred fifty (150) mile
radius of Karval, Colorado;

transportation, on call and demand, of
livestock

between points located within the town of Limon, Colorado, on the one hand, and, on the other hand, points within a radius of 150 miles of Limon, Colorado;

transportation of

freight

between points within an area extending 15 miles north, 35 miles south, 10 miles east, and 30 miles west of Rush, Colorado, and from and to points in said area, to and from points in Colorado, save and except that applicant shall not be authorized to transport any freight originating in or destined to Denver, except livestock and farm produce, from that portion of the above-described territory within an area 10 miles south of Highway No. 24, commencing at a point 10 miles south of Calhan and extending northeasterly to the eastern boundary line of area applicant is authorized to serve;

authority to use equipment in the state of Colorado as a Common Interstate Carrier 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."

2. That this Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinabove set out.

3. That as provided by 115-6-9 (2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period of time as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed within such time by the Commission upon its own motion, such Recommended Decision shall become the Decision of the Commission and subject to the provisions of 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Examiner

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit No. B-6805

Brian B. Grubbs
P.O. Box 248
Dolores, Colorado 81323

Respondent.

CASE NO. 209-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith, on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said operating rights for said violation and (2) determine what other appropriate orders and penalties should be entered.

O R D E R

THE COMMISSION ORDERS:

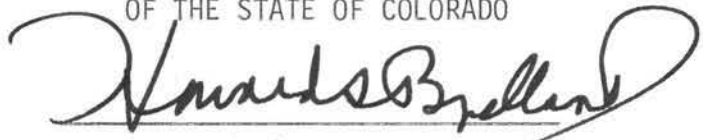
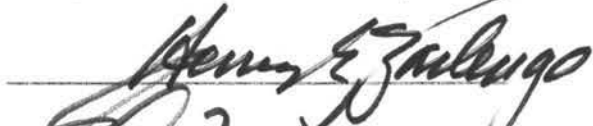

That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on August 10 19 71, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation, on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 22nd day of June 19 71.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit No. B-6819

North Park Timber Co.
P.O. Box 877
Laramie, Wyoming 82070

Respondent.

CASE NO. 210-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith, on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said operating rights for said violation and (2) determine what other appropriate orders and penalties should be entered.

O R D E R

THE COMMISSION ORDERS:

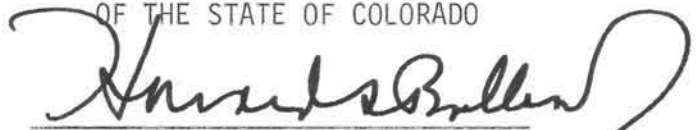
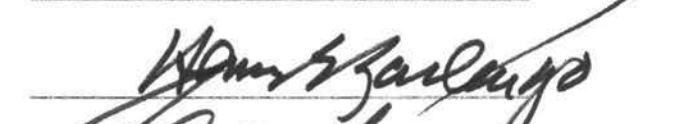

That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on August 10, 1971, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation, on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 22nd day of June 19 71.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit No. B-7241

William D. Walker
P.O. Box 366
Dolores, Colorado 81323

Respondent.)

CASE NO. 211-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith, on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said operating rights for said violation and (2) determine what other appropriate orders and penalties should be entered.

O R D E R

THE COMMISSION ORDERS:

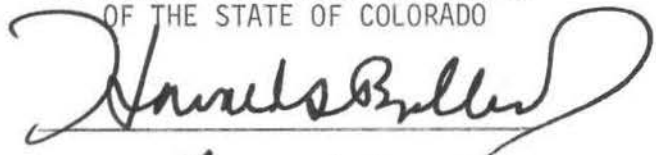
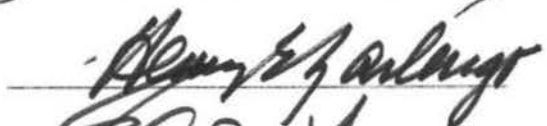

That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on August 10 19 71, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation, on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 22nd day of June 19 71.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER

Permit No. B-7130

Atchenson Enterprise Inc.
3426 G Road
Clifton, Colorado 81520

Respondent.

CASE NO. 212-AR
NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith, on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said operating rights for said violation and (2) determine what other appropriate orders and penalties should be entered.

O R D E R

THE COMMISSION ORDERS:

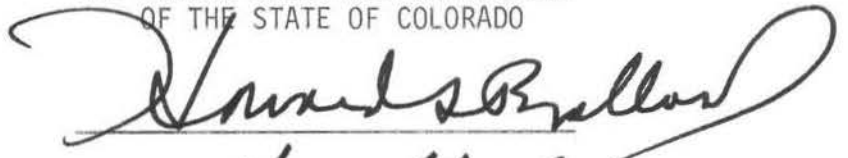
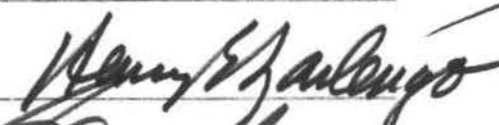

That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on August 10, 1971, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation, on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 22nd day of June 1971.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioner

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit No. B-7396

Loggers, Inc.
P.O. Box 1291
Montrose, Colorado 81401

Respondent.

CASE NO. 213-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith, on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said operating rights for said violation and (2) determine what other appropriate orders and penalties should be entered.

O R D E R

THE COMMISSION ORDERS:

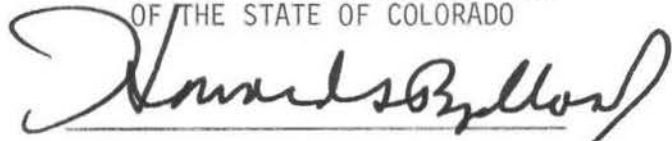
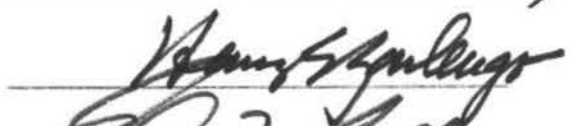
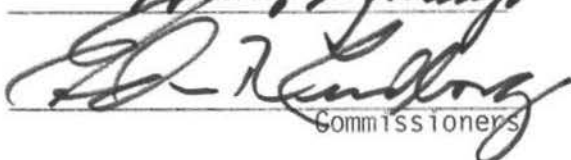
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on August 10 19 71, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation, on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 22nd day of June 1971 .

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit No. B-7453

Ross B. Holton & Jose L. Carrillo
d/b/a J & R Logging
P.O. Box 738
Pagosa Springs, Colorado 81147

Respondent.

CASE NO. 214-AR
NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith, on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said operating rights for said violation and (2) determine what other appropriate orders and penalties should be entered.

O R D E R

THE COMMISSION ORDERS:

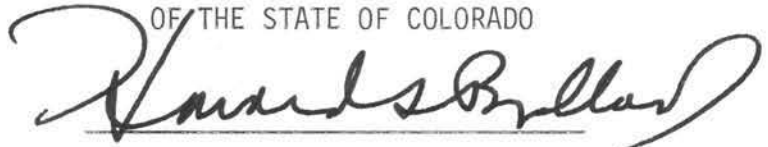
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on August 10 19 71, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation, on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 22nd day of June 19 71.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO





Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit No. B-5179

Devers Construction Co.
P.O. Box 809
Fort Collins, Colorado 80521

Respondent.

CASE NO. 215-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith, on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said operating rights for said violation and (2) determine what other appropriate orders and penalties should be entered.

O R D E R

THE COMMISSION ORDERS:

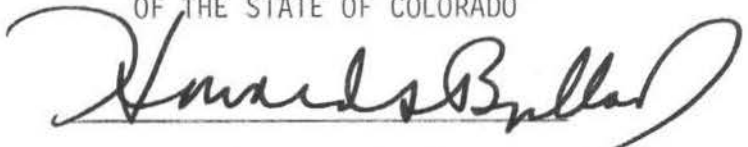


That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on August 10 1971, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation, on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 22nd day of June 19 71.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioner

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit No. B-5844

Raymond L. & Ruben Sears
1013 So. Cascade
Colorado Springs, Colorado 80903

Respondent.

CASE NO. 216-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith, on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said operating rights for said violation and (2) determine what other appropriate orders and penalties should be entered.

O R D E R

THE COMMISSION ORDERS:

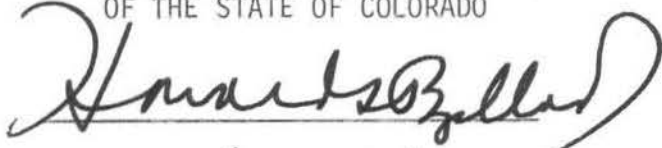


That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on August 10 1971, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation, on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 22nd day of June 19 71.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit No. B-5965

Michael Donovan & Mary Ann
Friend, d/b/a W & S Sand &
Gravel, 110 Ash Street
Castle Rock, Colorado 80104

Respondent.)

CASE NO. 217-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith, on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said operating rights for said violation and (2) determine what other appropriate orders and penalties should be entered.

O R D E R

THE COMMISSION ORDERS:

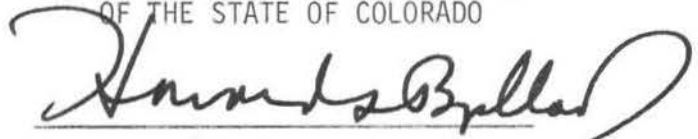
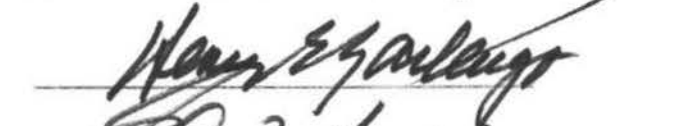

That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on August 10 19 71, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation, on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 22nd day of June 19 71.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit No. B-6508

William R. Toler
2415 Wheeler
Colorado Springs, Colorado 80900

Respondent.)

CASE NO. 218-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith, on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said operating rights for said violation and (2) determine what other appropriate orders and penalties should be entered.

O R D E R

THE COMMISSION ORDERS:

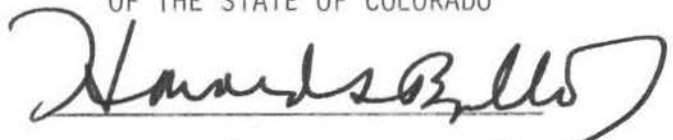


That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on August 10, 1971 at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation, on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 22nd day of June 19 71.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit No. B-6715

Ted W. Keeling
2020 Mesa Road
Colorado Springs, Colorado
80904

Respondent.)

CASE NO. 219-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith, on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said operating rights for said violation and (2) determine what other appropriate orders and penalties should be entered.

O R D E R

THE COMMISSION ORDERS:


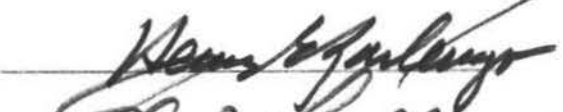
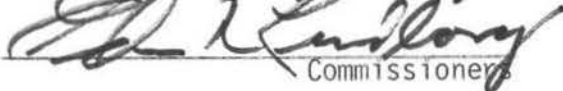
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on August 10 19 71, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation, on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 22nd day of June 19 71.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit No. B-7085

Delta Sand & Gravel Co.
P.O. Box 103
Delta, Colorado 81416

Respondent.

CASE NO. 220-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith, on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said operating rights for said violation and (2) determine what other appropriate orders and penalties should be entered.

O R D E R

THE COMMISSION ORDERS:

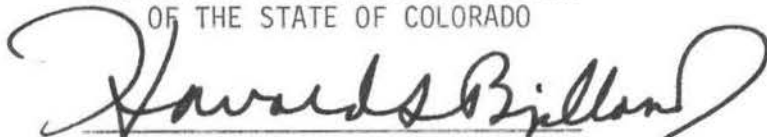
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on August 10 19 71, at which time and place proper evidence may be presented.

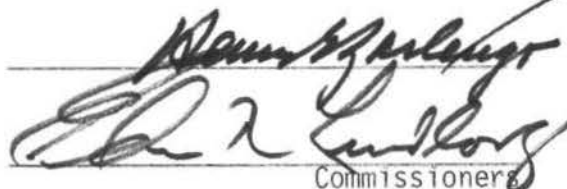
That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation, on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 22nd day of June 1971 .

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioner

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
COLORADO CARTAGE COMPANY, INC., 5275)	
QUEBEC STREET, COMMERCE CITY, COLORADO,)	
FOR A CERTIFICATE OF PUBLIC CONVENIENCE	)	APPLICATION NO. 24628-Extension
AND NECESSITY AUTHORIZING EXTENSION OF)	
OPERATIONS UNDER PUC NO. 692 AND PUC)	
NO. 692-I.)	

ORDER DENYING MOTION OF WELLS FARGO ARMORED SERVICE
CORPORATION TO REOPEN PROCEEDINGS AND REINSTATE ITS
PROTEST HERETOFORE FILED.

- - - - -
June 23, 1971
- - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On October 23, 1970, Colorado Cartage Company, Inc., filed the above-entitled application to which the Commission assigned No. 24628-Extension.

On December 30, 1970, the Commission set the above-entitled matter for hearing on Thursday, February 4, 1971, at 10 a.m. in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at which time and place the matter was heard and taken under advisement. A Recommended Decision of the Hearing Examiner has of this date not been issued.

On June 14, 1971, Wells Fargo Armored Service Corporation, by and through its attorney, Herbert M. Boyle, filed with the Commission a Motion to Reopen Proceedings and Reinstate its Protest heretofore filed.

The Commission finds that no good cause has been shown for granting said Motion and that the Motion should be denied as set forth in the Order following.

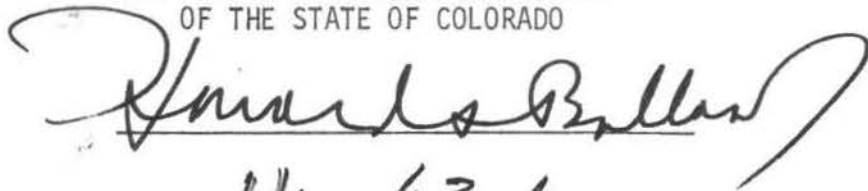
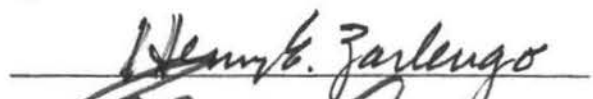
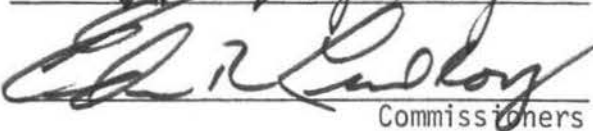
O R D E R

THE COMMISSION ORDERS THAT:

The Motion of Wells Fargo Armored Service Corporation to Reopen Proceedings and Reinstate its Protest heretofore filed be, and the same hereby is, denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
23rd day of June, 1971.

vjr

(Decision No. 78021)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION)	
OF COLORADO CARTAGE COMPANY, INC.,)	APPLICATION NO. 24654-Extension-Amended
5275 QUEBEC STREET, COMMERCE CITY,)	
COLORADO, FOR A CERTIFICATE OF)	ORDER DENYING MOTION TO REINSTATE THE
PUBLIC CONVENIENCE AND NECESSITY)	PROTEST OF ARMORED MOTORS SERVICE
AUTHORIZING EXTENSION OF OPERATIONS)	AS TO THE AMENDED APPLICATION
UNDER PUC NO. 692 AND PUC NO. 692-I.)	

- - - - -
June 23, 1971
- - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The above-entitled application was filed on November 10, 1970. On November 24, 1970, Armored Motors Service filed a protest to the application. On December 16, 1970, Applicant filed a Motion to Strike Protest of Armored Motors Service. On March 2, 1971, Applicant filed a Petition (1) Amending Application and (2) Requesting Ruling on Pending Motion to Strike Protest of Armored Motors Service.

On March 9, 1971, by Decision No. 77082, the Commission granted Applicant's Petition to Amend its Application and the Motion to Strike the Protest of Armored Motors Service as to the amended application.

On June 14, 1971, Wells Fargo Armored Service Corporation, successor to Armored Motors Service, by and through its attorney, Herbert M. Boyle, filed with the Commission a Motion to Reinstate the Protest of Armored Motors Service as to the Amended Application.

The Commission finds that no good cause has been shown for granting said Motion and that the Motion should be denied as set forth in the Order following.

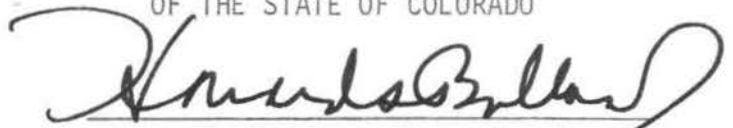
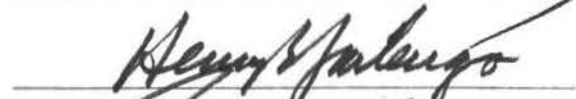
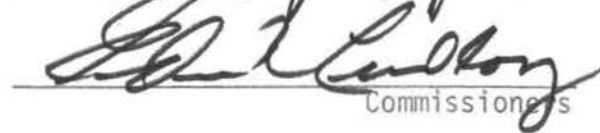
O R D E R

THE COMMISSION ORDERS THAT:

The Motion of Wells Fargo Armored Service Corporation, successor to Armored Motors Service, to Reinstate the Protest of Armored Motors Service as to the Amended Application No. 24654-Extension-Amended be, and hereby is, denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
23rd day of June, 1971.
vjr

(Decision No. 78022)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
FRANK R. GIVIGLIANO, P. O. BOX 22,)
TRINIDAD, COLORADO, FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY)
AUTHORIZING EXTENSION OF OPERATIONS)
UNDER PUC NO. 1401 AND PUC NO. 1401-I.)

APPLICATION NO. 23679-Extension

- - - - -
June 23, 1971
- - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

By the above-entitled application filed with the Commission on April 3, 1969, Applicant herein seeks a certificate of public convenience and necessity authorizing extension of operations under PUC No. 1401 and PUC No. 1401-I.

Said matter is still pending with no request for hearing.

As the Commission is desirous of closing its docket on long-pending matters, the Commission states and finds that unless written request for setting of the above-entitled matter for hearing shall be received by the Commission before the effective date of this Order, the application should be dismissed for want of prosecution.

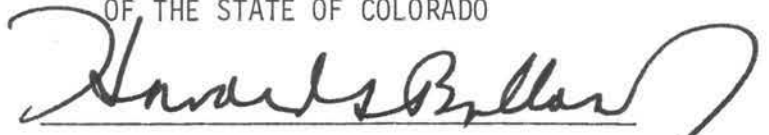


O R D E R

THE COMMISSION ORDERS THAT:

Application No. 23679-Extension be, and hereby is, dismissed, unless written request for hearing shall be received by the Commission before the effective date of this Order.

This Order shall become effective ten (10) days from the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
23rd day of June, 1971.

vjr

(Decision No. 78023)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ELMER REICHERT, BARBARA ROBBINS AND)
BEVERLY CLARK ON BEHALF OF THEMSELVES)
AND OTHERS SIMILARLY SITUATED FOR AN)
ORDER AUTHORIZING UNION RURAL ELECTRIC)
ASSOCIATION, INC. TO RENDER STREET)
LIGHTING SERVICE PURSUANT TO PUC)
TARIFF NO. 2 - ELECTRIC IN AN)
UNINCORPORATED AREA IN ADAMS COUNTY.)

APPLICATION NO. 24923

SUPPLEMENTAL ORDER

- - - - -
June 22, 1971
- - - - -

Appearances: Elmer Reichert, Route 2, Box 472
Broomfield, Colorado;
Beverly Clark, Route 2, Box 715
Broomfield, Colorado;
Barbara Robbins, 4220 West 136th Avenue
Broomfield, Colorado, for themselves
and Petitioners;
Robert R. Lessing, Office Manager,
Union Rural Electric Association, Inc.
Brighton, Colorado, for Union;
L. K. Christolear, Denver, Colorado,
of the Staff of the Commission.

PROCEDURE AND RECORD

The Order dated June 16, 1971, Decision No. 77965, failed to include all of the street lights contained in the application.

FINDINGS

THE COMMISSION FINDS:

That Decision No. 77965 of June 16, 1971 should be amended, nunc pro tunc as of the said 16th day of June, 1971, since the Order did not include all of the authorized facilities contained in the said Application No. 24923 and Petition attached thereto.

O R D E R

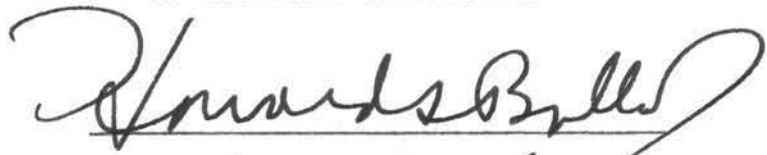
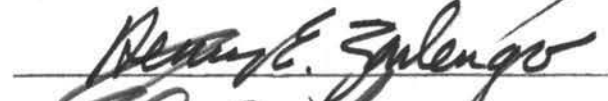
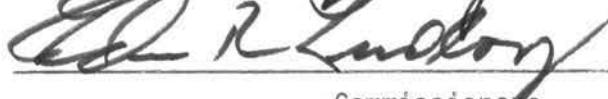
THE COMMISSION ORDERS:

That Decision No. 77965 of June 16, 1971, shall be, and the same hereby is, amended nunc pro tunc as of said 16th day of June, 1971, by deleting paragraph 1 in its entirety and substituting the following as paragraph 1:

"Union Rural Electric Association, Inc., be, and hereby is, authorized, and directed to install, operate and maintain fourteen (14) non-ornamental, 7,000 lumen, mercury vapor street lights as a street lighting system, ten (10) of which will be supplied by underground wiring, the four (4) remaining with overhead wiring, in accordance with the provisions of its Tariff Colorado PUC No. 2 - Electric, Original Sheets 64 and 65, First Revised Sheets 124, 125, 126 and 127, now existing or as the same may be changed under the rules of this Commission or according to law."

That except as herein amended, Decision No. 77965 shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 22nd day of June, 1971.
hbp

(Decision No. 78024)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
ROCKY MOUNTAIN MOTOR COMPANY, INC.,)	
DOING BUSINESS AS COLORADO TRANSPOR-)	
TATION COMPANY, DENVER CAB CO., GRAY)	APPLICATION NO. 25025-Transfer
LINE SIGHTSEEING CO., ROCKY MOUNTAIN)	
PARKS TRANSPORTATION CO., 3455 RINGSBY)	
COURT, DENVER, COLORADO, FOR AUTHORITY)	
TO TRANSFER PUC NO. 55 AND PUC NO.55-I)	
TO SAN JUAN TOURS, INC., P.O. BOX 2378)	
AND 10 LAKE CIRCLE, BROADMOOR, COLORADO)	
SPRINGS, COLORADO.)	

- - - - -
June 22, 1971
- - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On May 28, 1971, the above-entitled application was filed with the Commission and notice thereof was given on June 9, 1971.

On June 18, 1971, Denver-Colorado Springs-Pueblo Motorway, Inc., Denver-Salt Lake-Pacific Stages, Inc., American Bus Lines, Inc., Continental Bus System, Inc. (Rocky Mountain Lines Division), Continental Bus System, Inc. and Continental Central Lines, Inc., by and through their attorney, John R. Barry, filed a Petition to Intervene in the above-captioned proceedings.

The Commission states and finds that Applicants for intervention are parties who may or might be affected by any order which may be entered in this proceeding and that the intervention should be granted as set forth in the Order following.

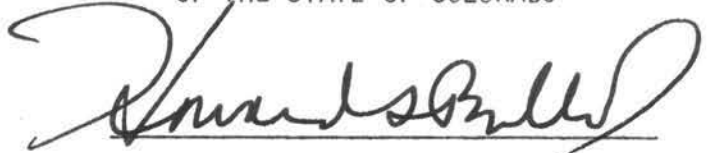
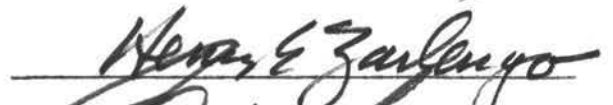
O R D E R

THE COMMISSION ORDERS THAT:

The Petition to Intervene by Denver-Colorado Springs-Pueblo Motorway, Inc., Denver-Salt Lake-Pacific Stages, Inc., American Bus Lines, Inc., Continental Bus System, Inc. (Rocky Mountain Lines Division), Continental Bus System, Inc. and Continental Central Lines, Inc., be, and the same hereby is, granted.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

A large, stylized handwritten signature in black ink, appearing to read "Kenneth S. Brinkley", written over a horizontal line.A handwritten signature in black ink, appearing to read "Henry E. Zarling", written over a horizontal line.A handwritten signature in black ink, appearing to read "Robert L. Lindberg", written over a horizontal line.

Commissioners

Dated at Denver, Colorado,
this 22nd day of June, 1971.
hbp

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
IOWA ELECTRIC LIGHT AND POWER COMPANY)
SECURITY BUILDING, CEDAR RAPIDS, IOWA,)
FOR AUTHORITY TO ISSUE AND SELL 100,000)
SHARES OF CUMULATIVE PREFERENCE STOCK,)
PAR VALUE \$100 PER SHARE, AND NOT MORE)
THAN 710,000 SHARES OF COMMON STOCK,)
PAR VALUE \$2.50 PER SHARE.)

APPLICATION NO. 24946-Securities
SUPPLEMENTAL ORDER

- - - - -
June 22, 1971
- - - - -

Appearances: John R. Barry, Esq., Denver, Colorado,
for Applicant;
James A. VanderWal, Denver, Colorado,
of the Staff of the Commission.

PROCEDURE AND RECORD

Applicant, Iowa Electric Light and Power Company, through its counsel set forth above, declares that the requirement for competitive bidding contained in the Statement of the Commission in Paragraph 9, Page 3, of Decision and Order No. 77629, dated May 13, 1971, is too restrictive with respect to advertising the bids for the sale of the Cumulative Preference Stock, par value \$100 per share. The Cumulative Preference Stock, par value \$100 per share has been advertised through competitive bidding and bids have been accepted for the sale of said Cumulative Preference Stock. Applicant, through counsel, requests a modification of Decision and Order No. 77629.

FINDINGS

THE COMMISSION FINDS:

That Application No. 24946 - Securities, being Decision No. 77629, should be, and the same hereby is, amended nunc pro tunc as follows.

The second sentence in Paragraph 9 on page 3 thereof should be amended to read as follows:

"Such public invitation for bid will be published in one or more editions of the Wall Street Journal at least one week in advance of the date on which the bids are to be submitted."

O R D E R

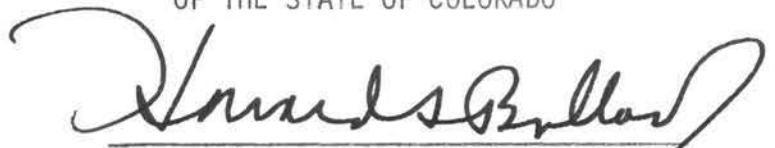
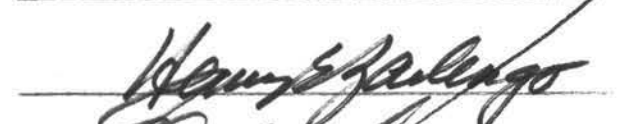
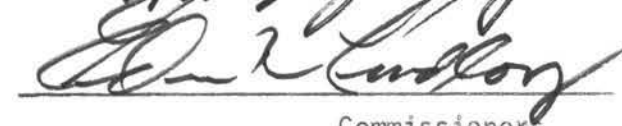
THE COMMISSION ORDERS:

That Decision No. 77629 of May 13, 1971, be, and the same hereby is, amended nunc pro tunc as of said 13th day of May, 1971, by substituting the following words in the second sentence of Paragraph 9, page 3 thereof:

"Such public invitation for bid will be published in one or more editions of the Wall Street Journal at least one week in advance of the date on which bids are to be submitted."

That except as herein amended, Decision No. 77629 shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 22nd day of June, 1971.
hbp

(Decision No. 78026)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF RULES AND REGULATIONS)	CASE NO. 5146
GOVERNING COMMERCIAL CARRIERS BY)	
MOTOR VEHICLE.)	SUPPLEMENTAL ORDER

- - - - -
June 23, 1971
- - - - -

Appearances: Girts Krumins, Esq., Denver,
Colorado, for the Staff
of the Commission

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On April 27, 1971, the Commission by Decision No. 77471 issued a Notice of Proposed Rule Making in the above-captioned matter. The proposed rule making involves revision of the Commission's Rules and Regulations Governing Commercial Carriers by Motor Vehicle as adopted by Decision No. 76076. The proposed revisions were as follows:

"That the modification set forth in paragraph (c) be changed by the addition of the following sentence:

'The relief granted in Section 395.8 (t) of the regulations shall be changed to a 100-mile radius in lieu of the 50-mile radius shown therein,'

so that paragraph (c) shall read as follows:

'(c) The exemptions applying in motor carriers operating wholly in a municipality or in a commercial zone, as defined by the ICC, shall not apply to these regulations; provided, however, that Part 391 - Qualifications of Drivers, and Part 395 - Hours of Service of Drivers, shall not apply to any driver who drives wholly within a radius of 50 miles of the garage or terminal at which he reports for work. The relief granted in Section 395.8 (t) of the regulations shall be changed to a 100-mile radius in lieu of the 50-mile radius shown therein.' "

After due and proper notice to all interested parties, the matter was heard by the Commission on June 21, 1971, and at the conclusion of the hearing, the matter was taken under advisement.

The Commission finds that the proposed rule would eliminate the requirement that logs of driving time and other time worked be maintained by drivers operating wholly within a 100-mile radius of their base of operations; that common and contract carriers have already been granted such relief; that the safety of the public would not be affected by the proposed rule change but the carriers would be relieved of an unnecessary burden of record-keeping; that the proposed rule is in the public interest, and concludes that the following Order should be entered.

O R D E R

THE COMMISSION ORDERS THAT:

1. Decision No. 76076, be, and hereby is, amended as follows:

"That the modification set forth in Appendix A, paragraph (c) incorporated in Decision No. 76076 be changed by the addition of the following sentence:

'The relief granted in Section 395.8 (t) of the regulations shall be changed to a 100-mile radius in lieu of the 50-mile radius shown therein,'

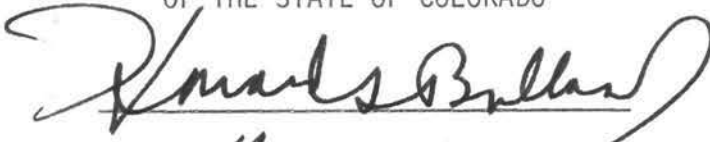
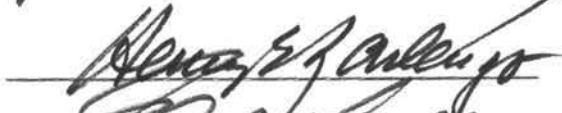

so that Appendix A, paragraph (c) shall read as follows:

'(c) The exemptions applying in motor carriers operating wholly in a municipality or in a commercial zone, as defined by the ICC, shall not apply to these regulations; provided, however, that Part 391 - Qualifications of Drivers, and Part 395 - Hours of Service of Drivers, shall not apply to any driver who drives wholly within a radius of 50 miles of the garage or terminal at which he reports for work. The relief granted in Section 395.8 (t) of the regulations shall be changed to a 100-mile radius in lieu of the 50-mile radius shown therein. ' "

2. In all other respects Decision No. 76076 shall remain in full force and effect.

This Order shall be effective thirty-five (35) days from the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 23rd day of June, 1971.
js

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MEATS, FRESH, FROZEN OR)
NOT FROZEN, AND OTHER RELATED)
PRODUCTS BETWEEN AND FROM)
DENVER ON THE ONE HAND AND)
POINTS TO THE SOUTH OF DENVER)
-----)

CASE NO. 1585

June 23, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On May 11, 1971, J. R. Smith, Chief of Tariff Bureau, Colorado Motor Carriers' Association, Agent, filed revised pages as set forth in Appendix "A" attached hereto, to its Local and Joint Class and Commodity Rates, Tariff No. 12-B, Colorado PUC No. 19, scheduled to become effective June 17, 1971.

Based upon the supporting data furnished by the carriers participating in the involved rates, the Commission, by Decision No. 77819, dated June 7, 1971, authorized the cancellation of the involved rates as published.

On June 21, 1971, a petition, requesting that the Commission investigate the cancelled rates and to immediately reinstate said rates pending the results of the investigation, was filed with the Commission on behalf of the Colorado Meat Dealers Association, by its Attorneys Hershel Shanks and Allan I. Mendelsohn.

Petitioners state the cancelled rates were being used extensively by both common and contract carriers and that cancellation will cause serious and substantial harm to the shippers using said rates unless said rates are reinstated immediately.

In the light of said petition the Commission finds that the rates in Items 2480 and 2520 of Colorado Motor Carriers' Association Tariff 12-B, Colorado PUC 19, which were cancelled on June 17, 1971,

should be reinstated, on one day's notice, as the prescribed rates of the Commission.

O R D E R

THE COMMISSION ORDERS:

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

2. That the rates in Items 2480 and 2520 of CMCA Tariff 12-B, Colo. PUC No. 19, which were cancelled effective June 17, 1971, be reinstated as the prescribed rates of the Commission, on one day's notice.

3. That 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. That all contract 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. That this Order shall not be construed so as to compel a contract carrier by motor vehicle to be or become a motor vehicle common carrier, or to subject any such contract carrier by motor vehicle to the laws and liabilities applicable to a motor vehicle common carrier.

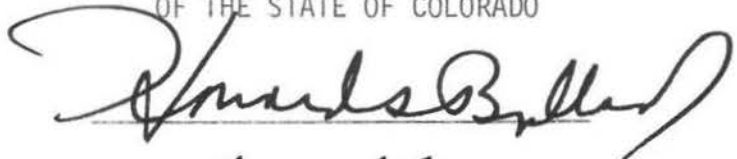


6. That the Order as entered in Case No. 1585 on February 5, 1936, as since amended, shall continue in force and effect until further Order of the Commission.

7. That this Order shall not be construed so as to compel a contract carrier by motor vehicle to be or become a motor vehicle common carrier, or to subject any such contract carrier by motor vehicle to the laws and liabilities applicable to a motor vehicle common carrier.

8. That jurisdiction is retained to make such further Orders as may be necessary and proper.

9. That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
23rd day of June, 1971. av

APPENDIX "A"

COLORADO MOTOR CARRIERS' ASSOCIATION, AGENT LOCAL AND JOINT CLASS AND COMMODITY RATES TARIFF NO. 12-B, COLORADO PUC NO. 19

SCHEDULED TO BECOME EFFECTIVE JUNE 17, 1971

SCHEDULED TO BECOME EFFECTIVE JUNE 17, 1977

SECTION 4

COMMODITY RATES IN CENTS PER 100 POUNDS (EXCEPT AS NOTED)
FOR APPLICATION, SEE PAGE 245

ITEM	COMMODITY	FROM	TO	RATES	ROUTE
3RD REVISED PAGE 290					
2480	MEAT, FRESH, FROZEN OR NOT FROZEN MEAT, FRESH SALTED. MEATS, CANNED. SAUSAGE, FRESH. DAIRY PRODUCTS, VIZ.: BUTTER, NOI, BUTTER GREASE, OLEOMARGARINE; CHEESE, INCLUDING CHEESE FOOD; EGGS, CHICKEN, FOR HUMAN CONSUMPTION; EGGS, SHELLED; EGG ALBUMEN (WHITES) OR YOLKS, DESICCATED (DRY). PACKING HOUSE PRODUCTS AND OTHER ARTICLES AS DESCRIBED IN ITEM 730. (SUBJECT TO ITEM 595 OF THE GOVERNING CLASSIFICATION.) ① MINIMUM WEIGHT 5,000 POUNDS ② MINIMUM WEIGHT 10,000 POUNDS ③ MINIMUM WEIGHT 15,000 POUNDS	BETWEEN	AND	(E) ♦	15; 47; 72
		DENVER	COLORADO SPRINGS		
		FROM	TO		
		DENVER	PUEBLO		
		FROM	TO		
		PUEBLO	COLORADO SPRINGS		
			TO		
			DENVER		
4TH REVISED PAGE 293					
2520	MEATS, FRESH, AND PACKING HOUSE PRODUCTS, AS DESCRIBED IN ITEMS 720 AND 730. ① MIN. WT. 10,000 LBS. ② MIN. WT. 15,000 LBS. (SUBJECT TO ITEM 595 OF THE GOVERNING CLASSIFICATION.) RATES PUBLISHED IN THIS ITEM WILL NOT APPLY VIA RED BALL MOTOR FREIGHT, INC.	BETWEEN	AND		
		DENVER	CANON CITY	(E) ♦	87
			FT. CARSON	(E) ♦	15; 72; 87

(E) DENOTES ELIMINATION.

♦ DENOTES INCREASE.

ROUTE NO. 15, EPHRAIM FREIGHTWAYS, INC., - DIRECT.
ROUTE NO. 47 RED BALL MOTOR FREIGHT INC., - DIRECT.
ROUTE NO. 72 NORTHWEST TRANSPORT SERVICE, INC., DIRECT
ROUTE NO. 87 RIO GRANDE MOTOR WAY, INC., - DIRECT

PRESENT RATES:

ITEM 2480: - COLORADO SPRINGS ① 68; ② 55; ③ 53.
PUEBLO: - ① 80; ② 67; ③ 55.
COLORADO SPRINGS ① 56; ② 50; ③ 40.
DENVER ① 80; ② 67; ③ 55

ITEM 2520: CANON CITY ① 79; ② 68
FT. CARSON ① 67; ② 55

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit No. B-7286

Campbell Grading & Hauling
7033 So. Dexter St.
Littleton, Colorado 80120

Respondent.)

CASE NO. 221-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith, on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said operating rights for said violation and (2) determine what other appropriate orders and penalties should be entered.

O R D E R

THE COMMISSION ORDERS:

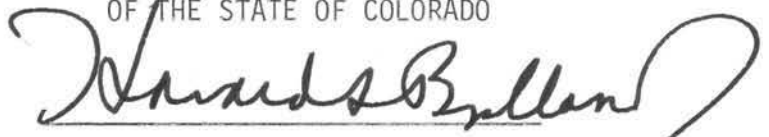
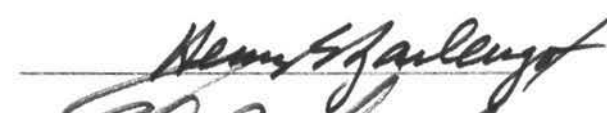

That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on August 10 19 71, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation, on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 22nd day of June 19 71.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit No. B-7300

Maurice J. DeLoyd
7701 Brighton Blvd.
Henderson, Colorado 80640

Respondent.)

CASE NO. 222-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith, on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said operating rights for said violation and (2) determine what other appropriate orders and penalties should be entered.

O R D E R

THE COMMISSION ORDERS:

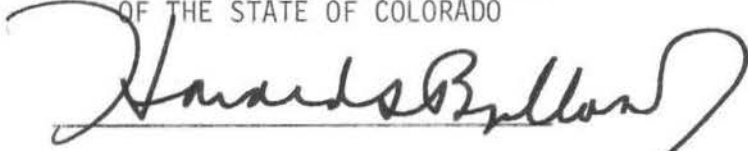
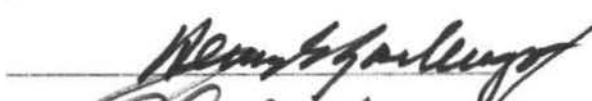
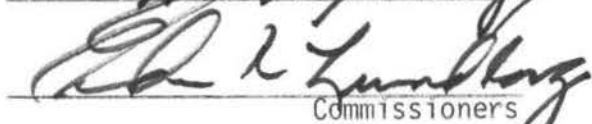
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on August 10 1971, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation, on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 22nd day of June 19 71.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit No. B-7356

Elk River Construction Co.
P.O. Box 89
Steamboat Springs, Colorado
80477

Respondent.)

CASE NO. 223-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith, on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said operating rights for said violation and (2) determine what other appropriate orders and penalties should be entered.

O R D E R

THE COMMISSION ORDERS:

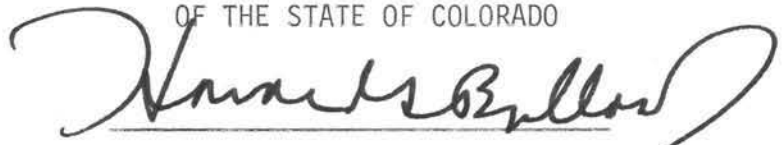
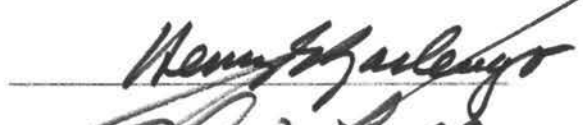
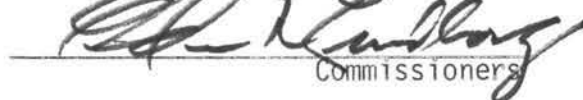
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on August 10 19 71, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation, on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 22nd day of June 1971 .

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit No. B-7409

J & B Dozer Excavating Service
2857 Sharon Place
Grand Junction, Colorado 81501

Respondent.

CASE NO. 224-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith, on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said operating rights for said violation and (2) determine what other appropriate orders and penalties should be entered.

O R D E R

THE COMMISSION ORDERS:

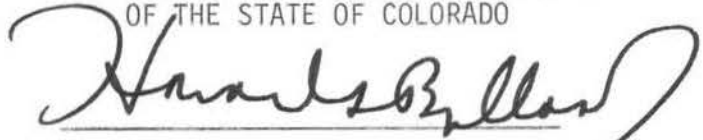
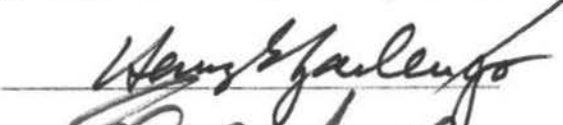

That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on August 10 1971, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation, on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 22nd day of June 19 71.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit No. B-7416

George Norden
Route 1, Box 192
Fort Lupton, Colorado 80621

Respondent.)

CASE NO. 225-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith, on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said operating rights for said violation and (2) determine what other appropriate orders and penalties should be entered.

O R D E R

THE COMMISSION ORDERS:

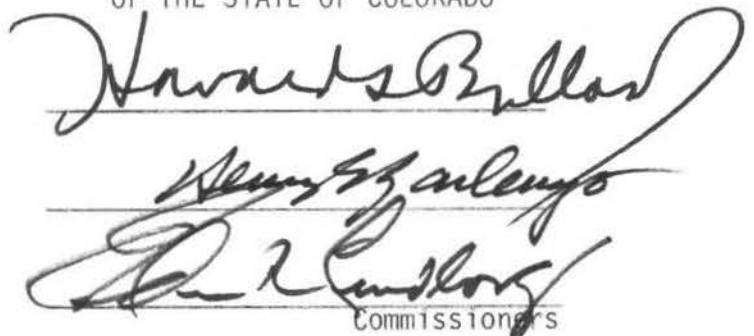
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on August 10 19 71, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation, on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 22nd day of June 19 71.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit No. B-4949

Lyle K. Brandt
P.O. Box 393
Granby, Colorado 80466

Respondent.)

CASE NO. 226-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith, on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said operating rights for said violation and (2) determine what other appropriate orders and penalties should be entered.

O R D E R

THE COMMISSION ORDERS:

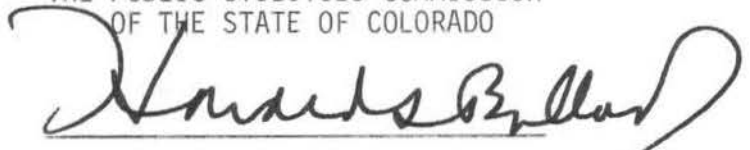


That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on August 10 1971, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation, on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 22nd day of June 19 71.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

(Decision No. 78034)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION	)	APPLICATION NO. 24839
OF CONTACT-COLORADO SPRINGS, INC.)	
FOR THE EXTENSION OF EXISTING	)	RECOMMENDED DECISION OF
CERTIFICATE OF PUBLIC CONVENIENCE	)	ROBERT L. PYLE, EXAMINER
AND NECESSITY.)	

- - - - -
June 23, 1971
- - - - -

Appearances: George J. Duckworth, Esq.,
Denver, Colorado, for Applicant.

PROCEDURE AND RECORD

Under date of April 27, 1971, Applicant filed the above-entitled application with this Commission requesting the extension of an existing Certificate of Public Convenience and Necessity to include certification for furnishing one-way paging service capable of interconnection with land line facilities of Mountain Bell Telephone Company as set forth in said application.

The Commission assigned No. 24839 to the application and, pursuant to law, designated Robert L. Pyle as Examiner for the purpose of conducting the hearing to be held in the hearing room of the Commission, Columbine Building, 1845 Sherman Street, Denver, Colorado, May 28, 1971, at 10:00 A.M.

David W. Brashear, president of Applicant corporation, testified in support of the application. No person appeared at the hearing to protest the granting of the authority petitioned for in the application, and no written protests or petitions for intervention were received.

Applicant's Exhibits lettered A, B, C, D, E and F were tendered and admitted into evidence.

At the conclusion of the hearing, the subject matter was taken under advisement. Pursuant to the provisions of Chapter 115, CRS 1963, as amended, said Examiner now transmits his recommended decision.

FINDINGS OF FACT

Based on all the evidence of record, the following is found as fact:

1. Applicant is a Colorado corporation duly authorized to do business in the State of Colorado under the name of Contact-Colorado Springs, Inc. Its incorporators and initial Directors were David W. Brashear, Robert A. Bochtey, George J. Duckworth, all of Denver, Colorado. Its present officers are:

David W. Brashear - President
George J. Duckworth - Vice President
Robert A. Bochtey - Secretary-Treasurer

2. The stockholders at the applicant corporation are as follows:

David W. Brashear - 50%
Robert A. Bochtey - 50%

3. Applicant presently holds a certificate of public convenience and necessity from this Commission (Decision No. 76405, Dated December 7, 1970) which authorizes the applicant "to furnish one-way paging service and two-way mobile telephone communication service with said mobile facility capable of interconnection with land line facilities of Mountain States Telephone and Telegraph Company."

4. In addition to interconnected two-way mobile telephone communication service, Applicant presently provides non-interconnected one-way paging service which is a manual, operator attended service.

5. Applicant proposes to offer an interconnected, automatic, direct dial, tone-only and tone with voice paging service, as outlined in Applicant's Exhibit B. Any person wishing to page a subscriber of Applicant on the subscriber's paging unit, located within the range of the base station, may do so simply by dialing the subscriber's paging unit telephone number from any telephone connected with the telephone land line system.

6. Applicant's system will make use of the most advanced and most modern commercially available equipment.

7. Applicant will, upon authorization to exercise its franchise by this Commission, enter into an agreement with Mountain States Telephone and Telegraph Company for a land line interconnection. A letter of intent from Mountain States Telephone and Telegraph Company concerning such agreement was entered into evidence as Exhibit F.

8. Applicant's proposed direct dial paging service is an addition to, and an improvement upon, its presently existing paging service.

9. The proposed rates applicable to the direct dial paging system are lower than rates presently charged to subscribers of the existing non-interconnected paging system offered by Applicant.

10. The automatic direct dial paging service proposed by Applicant is faster, more exact and more sophisticated than the non-interconnected paging service presently available.

11. Applicant proposes to begin furnishing interconnected paging service as soon as practical after the grant of this extension to their existing Certificate of Public Convenience and Necessity by this Commission.

12. There is a very definite and real demand in the Colorado Springs metropolitan area for the more unique and sophisticated services as sought by Applicant in this proceeding.

13. Applicant has assets of \$116,000 and sufficient commitments for adequate financing to obtain equipment and to institute operations under this Certificate, and there is sufficient demand for the service to make its operations economically sound and profitable.

14. Applicant is well qualified, both financially and technologically, to place into operation the service it proposes as hereinafter set forth.

15. The chief corporate officers as well as the employees of Applicant corporation are sufficiently familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations, as well as the safety requirements of the Commission.

16. There is a need for the service as proposed by Applicant, and the authority as hereinafter granted will be in the public interest.

17. The present or future public convenience and necessity requires or will require the services proposed by Applicant in this application.

CONCLUSIONS ON FINDINGS OF FACT

Based on the aforesaid findings of fact, it is concluded that:

1. The authority as sought by Applicant should be granted as hereinafter set forth.

2. Pursuant to Section 115-6-9 (2), CRS 1963, as amended, it is recommended by the Examiner that the Commission enter the following

O R D E R

THE COMMISSION ORDERS:

1. That Applicant, Contact-Colorado Springs, Inc., be, and hereby is, granted a Certificate of Public Convenience and Necessity to include certification for furnishing one-way paging service capable of interconnection with land line facilities of Mountain States Telephone and Telegraph Company as outlined in its application.

That henceforth the full and complete authority under this Certificate of Public Convenience and Necessity shall be as follows, to wit:

"To furnish one-way paging service and two-way mobile radio-telephone service, with both such services capable of interconnection with land line facilities of Mountain States Telephone and Telegraph Company."

2. That Applicant shall file tariff of rates, rules and regulations as required by the rules and regulations of this Commission within twenty (20) days from the date service begins.


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

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

5. This Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinafter set out.

6. As provided by Section 115-6-9 (2) CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period of time as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed within such time by the Commission upon its own motion, such Recommended Decision shall become the Decision of the Commission and subject to the provisions of Section 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Examiner
hbp

(Decision No. 78035)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WELLS FARGO ARMORED SERVICE CORPORA-)
TION, A CORPORATION, 210 BAKER)
STREET, N.E., P. O. BOX 4313,)
ATLANTA, GEORGIA, FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY)
TO OPERATE AS A MOTOR VEHICLE COMMON)
CARRIER FOR HIRE.)

APPLICATION NO. 24638

DECISION OF THE COMMISSION
ENTERED AFTER REHEARING AS
PROVIDED IN DECISION NO. 77608

- - - - -
June 23, 1971
- - - - -

Appearances: Herbert M. Boyle, Esq., Denver, Colorado,
James C. Perrill, Esq., Denver, Colorado,
and
Rothgerber, Appel & Powers, Esqs., Denver, Colorado,
for Wells Fargo Armored Motors Service,
Applicant.
John H. Barry, Esq., Denver, Colorado,
for Denver-Colorado Springs-Pueblo Motorway, Inc.;
Denver-Salt Lake-Pacific Stages, Inc.;
American Bus Lines, Inc.;
Continental Bus System, Inc.
(Rocky Mountain Lines Division);
Continental Bus System, Inc.; and
Continental Central Lines, Inc., Protestants.
John H. Lewis, Esq., Denver, Colorado,
for Colorado Cartage Company, Inc., and
Murph's Express, Inc., Protestants.

PROCEDURE AND RECORD

BY THE COMMISSION:

On February 16, 1971, the Recommended Decision of Commissioner Henry E. Zarlengo was entered and served upon the parties. On March 12, 1971, Colorado Cartage Company, Inc., and Murph's Express, Inc., by their attorneys, Stockton and Lewis, filed Exceptions to the Recommended Decision of Commissioner Zarlengo. On March 23, 1971, by Decision No. 77216, the Commission denied the Exceptions filed by Protestants, Colorado Cartage Company, Inc., and Murph's Express, Inc., and adopted the Recommended Decision of Commissioner Zarlengo as the Order of the Commission without any change or modification.

On April 12, 1971, Colorado Cartage Company, Inc., and Murph's Express, Inc., by and through their attorneys, Stockton and Lewis, filed an Application for Rehearing, Reargument or Reconsideration of Decision No. 77216, dated March 23, 1971. On May 10, 1971, the Commission in Decision No. 77608, Commissioner Zarlengo dissenting, granted the application for rehearing of Decision No. 77216 with respect to the sole issue of fitness and qualifications of the substituted party, Wells Fargo Armored Service Corporation, and ordered:

"Application for Rehearing, Reargument or Reconsideration of Decision No. 77216, dated March 23, 1971, in the above-entitled application be, and hereby is, granted with respect to the sole issue of the fitness and qualifications of the substituted party, Wells Fargo Armored Service Corporation, and the matter be, and hereby is, set for rehearing as follows:

DATE: June 18, 1971

TIME: 10:00 A.M.

PLACE: 500 Columbine Building
1845 Sherman Street
Denver, Colorado 80203."

At said time and place, the full Commission conducted the rehearing relative to the fitness and qualifications of the substituted party, namely, Wells Fargo Armored Service Corporation. At such rehearing, the following witnesses testified for the Applicant:

Patrick F. Dolan, a Certified Public Accountant
associated with Peat, Marwick, Mitchell and Co.;

Richard Engel, the Controller of Wells Fargo Armored
Service Corporation;

John Staats, a regional Vice President of Wells Fargo
Armored Service Corporation;

Ted P. Rinker, Vice President and General Manager of
the Mountain States Division of Wells Fargo Armored
Service Corporation;

and Rehearing Exhibits No. 1 through No. 8, inclusive, were admitted in evidence. At the request of the Applicant, the Commission took official notice of the Articles of Incorporation of the Applicant as previously filed with the Commission.

FINDINGS OF FACT

After due and careful consideration of the entire record in this proceeding, the Commission finds as fact from such record that:

1. Wells Fargo Armored Service Corporation, a Delaware corporation, the Applicant herein, is a wholly owned subsidiary of Baker Industries, Inc. During the year of 1970, Baker Industries, Inc., had net sales and service revenues in the total amount of \$68,532,313, and net consolidated earnings in the amount of \$2,832,634. Total stockholders' equity amounted to \$31,744,609.

2. Wells Fargo Armored Service Corporation, a Delaware corporation, as of December 31, 1970, had total net assets in the amount of \$12,872,370, and, after its Colorado acquisition, had on March 31, 1971, total assets in the amount of \$20,175,191.

3. The operations of Wells Fargo Armored Service Corporation can be traced through predecessor corporations and organizations back to 1852. These operations have involved, for well over 100 years, the transportation and safekeeping of valuables of almost all kinds. The motor carrier segment of the operation has been in existence over 40 years. Operations are presently being conducted in some 35 states and a much larger number of major cities. Hundreds of trucks and employees are utilized in providing the relevant transportation service.

4. Wells Fargo Armored Service Corporation has for all practical purposes retained all of the management and operating personnel of the "Armored Motors Service," the prior owners and operators of Permit No. 958, No. 958-I and No. 5540, as well as the equipment and terminals of "Armored Motors Service." Such personnel, equipment and facilities are adequate to provide proper common carrier intrastate service in Colorado. In addition, the resources of Wells Fargo are available to provide additional qualified personnel, and additional equipment and facilities if needed.

5. Wells Fargo Armored Service Corporation is completely qualified and completely fit in all respects to conduct authorized intrastate operations in Colorado as a common carrier under a certificate of public convenience and necessity issued by the Commission.

The Commission further finds that the Findings of Fact and Conclusions of Commissioner Henry E. Zarlengo in Recommended Decision No. 76916, insofar as such Findings of Fact and Conclusions are not inconsistent with this Decision, should be adopted by the Commission, and concludes that the following Order should be entered granting the application.

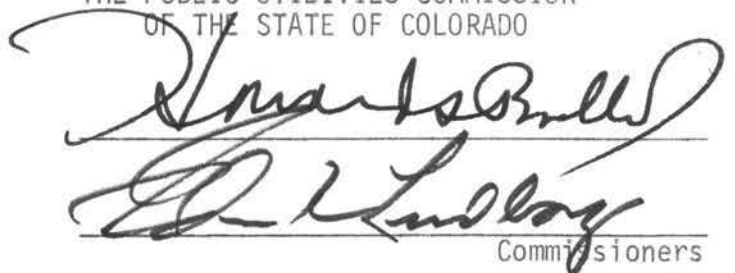
THE COMMISSION ORDERS THAT: O R D E R

1. The Findings of Fact and Conclusions of Commissioner Henry E. Zarlengo in Recommended Decision No. 76916, insofar as such Findings of Fact and Conclusions are not inconsistent with this Decision, be, and hereby are, adopted by the Commission as its own.

2. The Commissioner's Recommended Order in said Decision No. 76916 be, and hereby is, entered as the Order of the Commission herein without any change or modification; and that the said Recommended Order be, and hereby is, incorporated herein by reference the same as if it had been set forth in full as the Order of the Commission.

3. This Order shall become effective twenty-one (21) days from the date and day hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

COMMISSIONER HENRY E. ZARLENGO NECESSARILY
ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado, this
23rd day of June, 1971.

vjr

(Decision No. 78036)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	APPLICATION NO. 25073-PP-ETA
C.E. HAMILTON, AND PETE HAMILTON,)	
P. O. BOX 555, RANGELY, COLORADO,)	ORDER GRANTING
FOR EMERGENCY TEMPORARY AUTHORITY)	EMERGENCY TEMPORARY AUTHORITY
TO OPERATE AS A CLASS "B" CONTRACT)	
CARRIER BY MOTOR VEHICLE.)	

- - - - -
June 23, 1971
- - - - -

The above-entitled application under CRS 1963, 115-6-20 (4),
being under consideration, and

It appearing, That appropriate application has been made to
this Commission for permanent operating authority.

It further appearing, That there is an immediate and urgent
need for the transportation service herein sought.

It further appearing, That failure to immediately grant
emergency temporary authority may result in undue delay in availability of
equipment to contractors for pending construction projects.

And it further appearing, That said circumstances constitute an
emergency requiring the immediate issuance of temporary authority.

It is ordered, That C. E. Hamilton and Pete Hamilton, P. O. Box
555, Rangely, Colorado, be, and are hereby, granted emergency temporary
authority for a period of fifteen (15) days commencing June 23, 1971, as
a class "B" contract carrier by motor vehicle, for the

"Transportation of

- (1) 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 (100) miles of said pits and supply points;

(2) 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 one hundred (100) miles of said pits and supply points;

(3) Sand, gravel, dirt, stone and refuse

From and to building construction jobs, to and from points within a radius of one hundred (100) miles of said jobs;

(4) Insulrock

From pits and supply points in the State of Colorado to roofing jobs, within a radius of one hundred (100) miles of said pits and supply points;

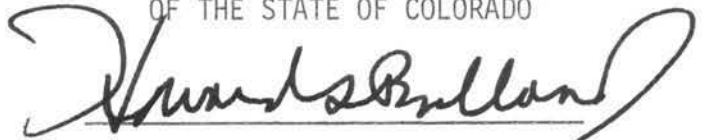
RESTRICTION: This emergency temporary authority is restricted against the use of tank vehicles when transporting road-surfacing materials";

conditioned upon full compliance with all applicable statutory and Commission requirements, rules and regulations.

It is further ordered, That the service provided for in this Order shall not be commenced until all requirements have been met and Applicants have received notice in writing from the Commission that compliance has been effected and service may be instituted.

And it is further ordered, That the authority herein granted shall create no presumption that corresponding temporary or permanent authority will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

Dated at Denver, Colorado,
this 23rd day of June, 1971.

js

(Decision No. 78037)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RALPH BREDTHAUER, DOING BUSINESS AS)
"R.W. BREDTHAUER TRUCKING," 6500)
E. 88TH AVE., HENDERSON, COLORADO,)
FOR EMERGENCY TEMPORARY AUTHORITY)
TO OPERATE AS A CLASS "B" CONTRACT)
CARRIER BY MOTOR VEHICLE.)

APPLICATION NO. 25066-PP-ETA
ORDER GRANTING
EMERGENCY TEMPORARY AUTHORITY

- - - - -
June 23, 1971
- - - - -

The above-entitled application under CRS 1963, 115-6-20 (4),
being under consideration, and

It appearing, That appropriate application has been made to this
Commission for permanent operating authority.

It further appearing, That there is an immediate and urgent need
for the transportation service herein sought.

It further appearing, That failure to immediately grant emergency
temporary authority may result in undue delay in availability of equipment
to contractors for pending construction projects.

And it further appearing, That said circumstances constitute an
emergency requiring the immediate issuance of temporary authority.

It is ordered, That Ralph Bredthauer, doing business as "R.W.
Bredthauer Trucking," 6500 E. 88th Ave., Henderson, Colorado, be, and is
hereby granted emergency temporary authority for a period of fifteen (15)
days commencing June 23, 1971, as a class "B" contract carrier by motor
vehicle, for the

"Transportation of

- (1) Sand, gravel and other road-surfacing materials used in
the construction of roads and highways

From pits and supply points in the State of Colorado to road
jobs, mixer and processing plants within a radius of fifty
(50) miles of said pits and supply points;

(2) Sand and gravel

From pits and supply points in the State of Colorado to railroad loading points and to homes and small construction jobs within a radius of fifty (50) miles of said pits and supply points;

(3) Sand, gravel, dirt, stone and refuse

From and to building construction jobs, to and from points within a radius of fifty (50) miles of said jobs;

(4) Insulrock

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

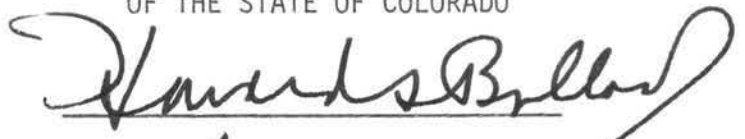
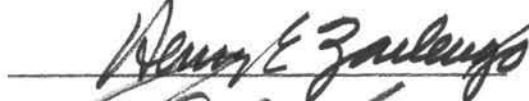

RESTRICTION: This emergency temporary authority is restricted against the use of tank vehicles when transporting road-surfacing materials";

conditioned upon full compliance with all applicable statutory and Commission requirements, rules and regulations.

It is further ordered, That the service provided for in this Order shall not be commenced until all requirements have been met and Applicant has received notice in writing from the Commission that compliance has been effected and service may be instituted.

And it is further ordered, That the authority herein granted shall create no presumption that corresponding temporary or permanent authority will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioner

Dated at Denver, Colorado,
this 23rd day of June, 1971.
js

(Decision No. 78038)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
EUGENE DOYLE CROWLEY, DOING BUSINESS)
AS "WHEAT RIDGE ASPHALT," 3032)
ARAPAHOE STREET, DENVER, COLORADO,)
FOR EMERGENCY TEMPORARY AUTHORITY TO)
OPERATE AS A CLASS "B" CONTRACT)
CARRIER BY MOTOR VEHICLE.)

APPLICATION NO. 25072-PP-ETA
ORDER GRANTING
EMERGENCY TEMPORARY AUTHORITY

- - - - -
June 23, 1971
- - - - -

The above-entitled application under CRS 1963, 115-6-20 (4),
being under consideration, and

It appearing, That appropriate application has been made to
this Commission for permanent operating authority.

It further appearing, That there is an immediate and urgent
need for the transportation service herein sought.

It further appearing, That failure to immediately grant
emergency temporary authority may result in undue delay in availability
of equipment to contractors for pending construction projects.

And it further appearing, That said circumstances constitute
an emergency requiring the immediate issuance of temporary authority.

It is ordered, That Eugene Doyle Crowley, doing business as
"Wheat Ridge Asphalt," 3032 Arapahoe Street, Denver, Colorado, be, and
is hereby, granted emergency temporary authority for a period of fifteen
(15) days commencing June 23, 1971, as a class "B" contract carrier by
motor vehicle, for the

"Transportation of

- (1) Sand, gravel and other road-surfacing materials used in
the construction of roads and highways

From pits and supply points in the State of Colorado to
road jobs, mixer and processing plants within a radius
of fifty (50) miles of said pits and supply points;

(2) Sand and gravel

From pits and supply points in the State of Colorado to railroad loading points and to homes and small construction jobs within a radius of fifty (50) miles of said pits and supply points;

(3) Sand, gravel, dirt, stone and refuse

From and to building construction jobs, to and from points within a radius of fifty (50) miles of said jobs;

(4) Insulrock

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

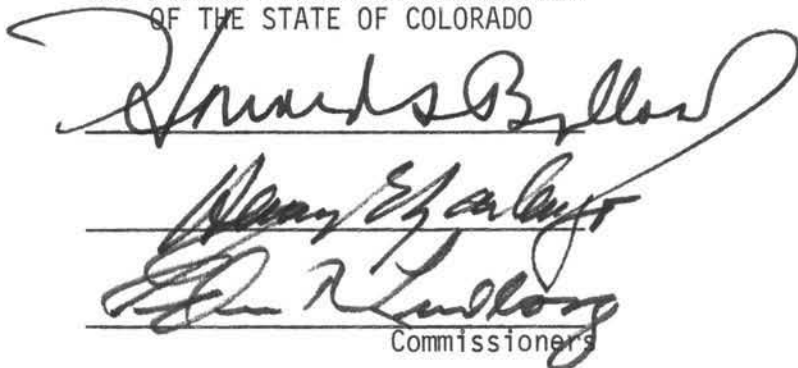
RESTRICTION: This emergency temporary authority is restricted against the use of tank vehicles when transporting road-surfacing materials";

conditioned upon full compliance with all applicable statutory and Commission requirements, rules and regulations.

It is further ordered, That the service provided for in this Order shall not be commenced until all requirements have been met and Applicant has received notice in writing from the Commission that compliance has been effected and service may be instituted.

And it is further ordered, That the authority herein granted shall create no presumption that corresponding temporary or permanent authority will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 23rd day of June, 1971.
js

(Decision No. 78039)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RICHARD C. LAUCH, DOING BUSINESS AS)
"DIAMOND TRUCKING," P. O. BOX 163,)
SEATTLE HEIGHTS, WASHINGTON, FOR)
EMERGENCY TEMPORARY AUTHORITY TO)
OPERATE AS A CLASS "B" CONTRACT)
CARRIER BY MOTOR VEHICLE.)

APPLICATION NO. 25068-PP-ETA
ORDER GRANTING
EMERGENCY TEMPORARY AUTHORITY

- - - - -
June 23, 1971
- - - - -

The above-entitled application under CRS 1963, 115-6-20 (4),
being under consideration, and

It appearing, That appropriate application has been made to
this Commission for permanent operating authority.

It further appearing, That there is an immediate and urgent
need for the transportation service herein sought.

It further appearing, That failure to immediately grant
emergency temporary authority may result in undue delay in availability
of equipment to contractors for pending construction projects.

And it further appearing, That said circumstances constitute
an emergency requiring the immediate issuance of temporary authority.

It is ordered, That Richard C. Lauch, doing business as
"Diamond Trucking," P. O. Box 163, Seattle Heights, Washington, be, and
is hereby, granted emergency temporary authority for a period of fifteen
(15) days commencing June 23, 1971, as a class "B" contract carrier by
motor vehicle, for the

"Transportation of

- (1) Sand, gravel and other road-surfacing materials used in
the construction of roads and highways

From pits and supply points in the State of Colorado to
road jobs, mixer and processing plants within a radius of
fifty (50) miles of said pits and supply points;

(2) Sand and gravel

From pits and supply points in the State of Colorado to railroad loading points and to homes and small construction jobs within a radius of fifty (50) miles of said pits and supply points;

(3) Sand, gravel, dirt, stone and refuse

From and to building construction jobs, to and from points within a radius of fifty (50) miles of said jobs;

(4) Insulrock

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

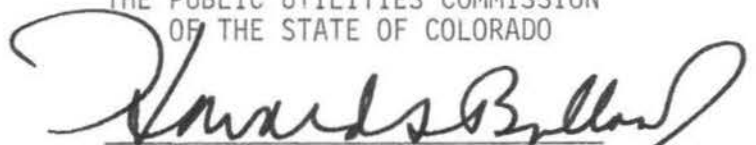

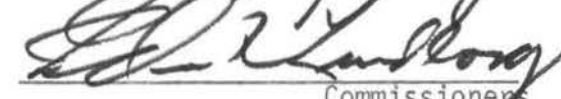
RESTRICTION: This emergency temporary authority is restricted against the use of tank vehicles when transporting road-surfacing materials";

conditioned upon full compliance with all applicable statutory and Commission requirements, rules and regulations.

It is further ordered, That the service provided for in this Order shall not be commenced until all requirements have been met and Applicant has received notice in writing from the Commission that compliance has been effected and service may be instituted.

And it is further ordered, That the authority herein granted shall create no presumption that corresponding temporary or permanent authority will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 23rd day of June, 1971.
js

(Decision No. 78040)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	APPLICATION NO. 24658
JAMES R. COLBURN, DOING BUSINESS AS)	
"A-1 DISPOSAL SERVICE," BOX 52,)	RECOMMENDED DECISION OF
KREMMLING, COLORADO, FOR A CERTI-)	CHRISTIAN O. IGENBERGS,
FICATE OF PUBLIC CONVENIENCE AND)	EXAMINER
NECESSITY TO OPERATE AS A COMMON)	
CARRIER BY MOTOR VEHICLE FOR HIRE.)	GRANTING APPLICATION IN PART
	AND DENYING APPLICATION IN PART

June 23, 1971

Appearances: A. H. Hitchcock, Esq.,
Denver, Colorado, for Applicant;
William A. Wilson, Esq.,
Denver, Colorado, for Grand County
Land Fill and Trash Removal, Inc.,
Protestant.

PROCEDURE AND RECORD

Under date of November 30, 1970, Applicant filed the above-entitled application with this Commission requesting the issuance of a certificate of public convenience and necessity to conduct operations as a common carrier by motor vehicle for hire for the transportation service as specifically set forth in said application.

Applicant requested temporary authority for the interim period prior to the granting of permanent authority and on December 4, 1970, was granted temporary authority by Commission Decision No. 76399.

The Commission assigned Docket No. 24658 to the application for permanent authority and gave due notice of the filing of the application in accordance with the provisions of 115-6-8 (2), CRS 1963, as amended.

On December 22, 1970, Grand County Land Fill and Trash Removal, Inc., filed a protest to the granting of the application.

Pursuant to law, the Commission designated Christian O. Igenbergs as Examiner for the purpose of conducting a hearing on this application and, after due and proper notice to all interested persons, firms, or corporations,

set the herein matter for a hearing to be held in the Courtroom of the District Court, Courthouse, Hot Sulphur Springs, Colorado, on Thursday, April 22, 1971, at 9 a.m.

On February 8, 1971, Applicant filed with the Commission a Motion to Dismiss Protest of Grand County Land Fill and Trash Removal, Inc. The Commission, by Decision No. 76928 dated February 17, 1971, denied the said Motion.

The hearing was held at the aforesaid time and place.

Exhibits numbered 1 through 16, inclusive, were tendered and admitted into evidence.

Official notice was taken by the Examiner of the following documents on file with the Commission, to wit: Financial Statement and Equipment List of Applicant and a Map of the proposed service area.

At the conclusion of the hearing, the subject matter was taken under advisement.

Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes (1963), as amended, Examiner Christian O. Igenbergs now transmits herewith to the Commission the record and exhibits of this proceeding together with a written recommended decision which contains his findings of fact and conclusions thereon, together with the recommended order or requirement.

FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact that:

1. Applicant is an individual, one James R. Colburn, a resident of Kremmling, Colorado, doing business as "A-1 Disposal Service."
2. By this application Applicant requests the issuance of a certificate of public convenience and necessity to conduct operations as a common carrier by motor vehicle for hire for the transportation of trash and rubbish in the County of Grand, State of Colorado.
3. Applicant does not hold previously granted authority from this Commission.

4. Protestant is a common carrier by motor vehicle for hire holding authority from this Commission under Certificate of Public Convenience and Necessity PUC No. 7996. The authority reads as follows, to wit:

"(1) Transportation of

Ash, trash, and other refuse

From the United States Rocky Mountain National Park and from all points within that portion of the County of Grand, State of Colorado, lying within Townships 2, 3, 4, and 5 North, Ranges 75, 76, 77 West of the Sixth Principal Meridian, to designated and approved dumps and disposal sites located within the County of Grand, State of Colorado.

(2) Transportation of

Ash, trash, and other refuse

Within all that portion of the County of Grand in the State of Colorado, lying easterly of a north-south line which is an extension of the west section line of Section 10, Township 1 North, Range 78 West of the Sixth Principal Meridian, said north-south line being extended northerly and southerly to the county lines of Grand County, State of Colorado."

5. This Commission has jurisdiction over the Applicant, the Protestant and the subject matter of this proceeding.

6. Applicant owns one 1957 International packer truck which is suitable for the operation of the authority applied for herein.

7. Applicant has sufficient experience for conducting the proposed operations based on his lifelong residency in the County of Grand, his familiarity with the roads, trash dumps and centers of population in said County and his past operation of packer trucks.

8. Applicant has a net worth of approximately \$8,200 which said sum is sufficient to finance the proposed operations.

9. Applicant has read and is sufficiently familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, promises to abide by said rules and regulations, as well as the safety requirements of the Commission.

10. Applicant has made adequate provision for the necessary insurance covering his operations.

11. The resident population of the County of Grand, State of Colorado, in contrast to some of the economically depressed or static areas in this state, is slowly but steadily increasing. The number of permanent residents according to the figures supplied by the County Planning Office and the latest U. S. Census figures was 3,755 in the year 1967 and 4,300 in the year 1970. In addition, the County is experiencing a pronounced growth in the number of summer residents and tourists. The increasing population necessitates an increase in ash, trash and refuse collection services.

12. Through testimony of numerous residents and owners of business establishments in the subject area, Applicant has established that there is a need for his proposed services in the County of Grand, State of Colorado, except in the northeastern portion of the County described as follows, to wit:

Commencing at the point of intersection of the south boundary of the Rocky Mountain National Park and the Grand-Boulder County line; thence west for a distance of 15 miles to a point; thence north for a distance of 12 miles on the Grand-Jackson County line; thence northeast and south along the Grand County line to the point of beginning.

The evidence presented by the Applicant with regard to the said northeastern portion of the County of Grand is insufficient to justify the granting of the authority in that particular area.

13. The present or future public convenience and necessity requires or will require the granting of the authority as hereinafter set forth.

14. The granting of the authority as hereinafter set forth will be in the public interest.

CONCLUSIONS ON FINDINGS OF FACT

Based on the aforesaid findings of fact, it is concluded that:

1. The authority sought by Applicant should be granted as hereinafter set forth.

2. Pursuant to 115-6-9 (2), CRS 1963, as amended, it is recommended by the Examiner that the Commission enter the following order.

O R D E R

THE COMMISSION ORDERS:

1. That James R. Colburn, doing business as "A-1 Disposal Service," Box 52, Kremmling, Colorado, be, and hereby is, authorized to operate as a common carrier by motor vehicle for hire, to wit:

Transportation of

Ash, trash, and other refuse

From all points located within the County of Grand, State of Colorado, excluding that portion of said county located within the following described area:

Commencing at the point of intersection of the south boundary of the Rocky Mountain National Park and the Grand-Boulder County line; thence west for a distance of fifteen (15) miles to a point; thence north for a distance of twelve (12) miles to the Grand-Jackson County line; thence northeast and south along the Grand County line to the point of beginning;

to designated and approved dumps and disposal sites located within the County of Grand, State of Colorado;

and this Order shall be deemed to be, and be, a CERTIFICATE OF PUBLIC CON-
VENIENCE AND NECESSITY therefor.

2. That the rest and remainder of Application No. 24658 be, and hereby is, denied.

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

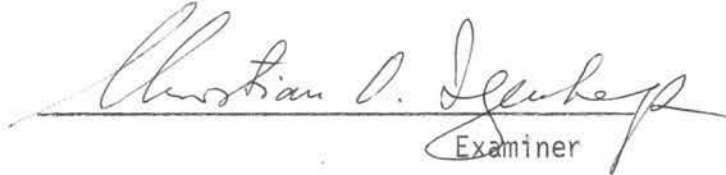
4. That this Order is subject to compliance by Applicant with all present and future laws and rules and regulations of the Commission.

5. That this Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinabove set out.

6. That as provided by 115-6-9 (2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days

after service upon the parties or within such extended period of time as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed within such time by the Commission upon its own motion, such Recommended Decision shall become the Decision of the Commission and subject to the provisions of 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Examiner

(Decision No. 78041)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
SEYMOUR C. STUURMANS AND LUELLA M.)	
STUURMANS, DOING BUSINESS AS "STU'S)	APPLICATION NO. 24979-PP-Extension-TA
UNLOADING SERVICE," 1034 SOUTH)	
UNIVERSITY BLVD., DENVER, COLORADO,)	SUPPLEMENTAL ORDER
FOR TEMPORARY AUTHORITY TO EXTEND)	
OPERATIONS UNDER CONTRACT CARRIER)	
PERMIT NO. B-4753.)	

June 23, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On May 24, 1971, the Commission entered Decision No. 77688 in the above-styled application, granting Applicants herein the right to operate with temporary authority as a class "B" contract carrier by motor vehicle for hire.

Said Applicants have failed to comply with the requirements set forth in said Decision No. 77688; that is, have failed to file a tariff.

The Commission states and finds that inasmuch as Applicants have not fulfilled requirements set forth in Decision No. 77688, temporary operating rights granted thereby should be revoked, as set forth in the Order following.

O R D E R

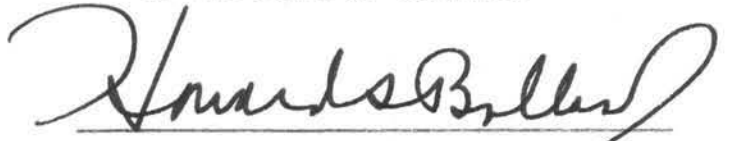
THE COMMISSION ORDERS:

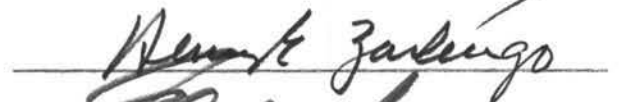
That the temporary operating rights granted to Seymour C. Stuurmans and Luella M. Stuurmans, doing business as "Stu's Unloading


Service," 1034 South University Boulevard, Denver, Colorado, be, and
the same hereby are, revoked for failure of Applicants to comply with
requirements set forth in said Decision No. 77688.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO






Commissioners

Dated at Denver, Colorado,
this 23rd day of June, 1971.
hbp

(Decision No. 78042)

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," 8171)	
LA PLACE COURT, WESTMINSTER, COLORADO,	)	APPLICATION NO. 24726-Extension
FOR A CERTIFICATE OF PUBLIC CONVENIENCE)	
AND NECESSITY AUTHORIZING EXTENSION OF)	
OPERATIONS UNDER PUC NO. 4277.)	

ORDER GRANTING EXTENSION OF
TIME FOR FILING EXCEPTIONS

- - - - -
June 24, 1971
- - - - -

Appearances: John J. Conway, Esq., Denver, Colorado,
and
Paul Q. Beacom, Esq., Westminster, Colorado,
for Applicant;
William A. Wilson, Esq., Denver, Colorado,
for Decker Trash Disposal Corp. No. 2,
Best-Way Disposal, and Broomfield Rubbish
Removal, Protestants.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On June 8, 1971, the Recommended Decision No. 77830 of Christian O. Igenbergs, Examiner, was entered and served upon the parties. Section 115-6-9 (2), CRS 1963, as amended, provides that exceptions shall be filed within twenty (20) days after service of the Recommended Decision upon the parties or within such extended period of time as the Commission may authorize in writing.

On June 21, 1971, Protestants, Decker Trash Disposal Corp. No. 2 and Best-Way Disposal, by their attorney, William Andrew Wilson, filed with the Commission Petition for Extension of Time within which to file exceptions to the Recommended Decision of the Examiner until twenty (20) days after the certification of the transcript by the reporter.

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

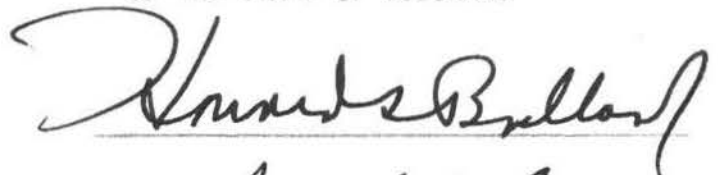


O R D E R

THE COMMISSION ORDERS THAT:

The Protestants, Decker Trash Disposal Corp. No. 2 and Best-Way Disposal, be, and hereby are, granted an extension of time within which to file exceptions to the said Recommended Decision of the Examiner until twenty (20) days after the certification of the transcript of the proceedings by the official reporter.

This Order shall be effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 24th day of June, 1971.
hbp

(Decision No. 78043)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE COUNTY OF ADAMS FOR AUTHORITY TO)
INSTALL GRADE CROSSING PROTECTION)
DEVICES AT LOWELL BOULEVARD IN ADAMS)
COUNTY, COLORADO, WHERE THE SAME)
CROSS THE DENVER AND RIO GRANDE)
WESTERN RAILROAD COMPANY RAILROAD)
TRACKS AT MILEPOST 5.28 AND THE)
COLORADO & SOUTHERN RAILWAY COMPANY)
RAILROAD TRACKS AT MILEPOST 5.17)
AND TO CLOSE A GRADE CROSSING OVER)
SAID TRACKS AT TENNYSON STREET IN)
ADAMS COUNTY, COLORADO.)

APPLICATION NO. 22348-Amended

RECOMMENDED DECISION OF
ROBERT L. PYLE, EXAMINER

GRANTING APPLICATION

June 24, 1971

Appearances: Robert R. Gehler, Esq., Commerce City,
Colorado, for Applicant;
John S. Walker, Esq., Denver, Colorado,
for The Denver and Rio Grande Western
Railroad Company, in support of the
application, and
Willard L. Peck, Esq., Denver, Colorado,
for Colorado & Southern Railway Company,
in support of the application;
Arnold Alperstein, Esq., Lakewood, Colorado,
for Baker Metropolitan Water and Sanitation
District, Protestant;
Anthony V. Zarlengo, Esq., Denver, Colorado,
for and on behalf of 103 individually
interested persons as Protestants;
Stephen G. Heady, Esq., Lakewood, Colorado,
for Melvin E. Thoutt and Carl Thoutt, Jr.,
Protestants;
Mr. and Mrs. Vern G. Brown, Denver,
Colorado, Protestants, pro se;
Girts Krumins, Esq., Denver, Colorado,
for the Staff of the Commission.

PROCEDURE AND RECORD

Under date of January 3, 1967, Applicant, under the provisions of 115-4-6, CRS 1963, as amended, filed the above-entitled application seeking an order of this Commission directing The Denver and Rio Grande Western Railroad Company and the Colorado & Southern Railway Company to install automatic grade crossing protection signals and short-arm gates at the grade crossing of Lowell Boulevard with the paralleling tracks of The Denver and Rio Grande Western Railroad Company and the Colorado & Southern

Railway Company in Adams County at Denver and Rio Grande Milepost 5.28 and Colorado & Southern Milepost 5.17 and to close, discontinue, and abandon the existing railroad crossing of the Tennyson Street roadway across said tracks at such time as Interstate Highway 80S is completed, and to participate in the Highway Crossing Protection Fund, as more specifically set forth in said application.

The Commission assigned Docket No. 22348-Amended to the application.

Inasmuch as the original application was filed on January 3, 1967, some explanation of the long period of time between filing and hearing appears to be in order. According to the testimony of John L. McNeill, of the Staff of the Commission, during the year 1966, Adams County started a program of crossing protection with the same two railroad companies as here involved on Pecos Street near 59th Avenue north of the City of Denver. These have been approved and cleared with the Commission. In 1967 the county program was continued and applications were filed for approval of protection devices at 88th and 96th Avenues on the Union Pacific main line toward Brighton, Colorado. The instant application, as it pertains to Lowell Boulevard protection devices, was also filed at the same time. The Union Pacific matter has been approved and cleared with the Commission. In 1966 the State Highway Department was also active in the area and they filed Application No. 21989 for a highway overpass at Sheridan Boulevard so as to eliminate the grade crossings of both the Rio Grande and Colorado & Southern trackage. That work also has been completed. The signal protection at Lowell Boulevard and the overpass at Sheridan Boulevard were apparently being considered at the same time that the crossing at Tennyson Street came under examination. Then, along with the idea of some signal devices at Lowell Boulevard, the closing of the Tennyson Street grade crossing was proposed on the basis that alternate access routes would warrant such action. Meanwhile, in the application as submitted for the Lowell Boulevard signal lights, there was no request to close the Tennyson Street crossing.

Thereafter, the application to place protection devices at Lowell Boulevard was amended to provide for the abandonment of the Tennyson Street crossing and resulted in the present application in its amended form. The Sheridan Boulevard overpass has been completed by the Highway Department and the grade crossing signals from that location were moved over to the Lowell Boulevard crossing back in 1967 and have been in service in that location since that date; however, the work has not been paid for. It has been determined by the county and the railroads involved that extra protection at Lowell Boulevard should be in the form of gates to be added to the flasher signals. Therefore, the application, as amended and here under consideration, shows a complete protection of flashers and gates at Lowell Boulevard and also includes the request for the closing of the Tennyson Street crossing.

Pursuant to law, the Commission designated Robert L. Pyle as Examiner for the purpose of conducting a hearing on this application and, after due and proper notice to all interested persons, firms, or corporations, set the herein matter for a hearing to be held in the hearing room of the Commission, Columbine Building, 1845 Sherman Street, Denver, Colorado, on April 29 and 30, 1971, at 10 a.m. The hearing was held at said time and place.

Prior to the taking of evidence Protestants moved to dismiss the application on the grounds that abandonment of a grade crossing must be processed pursuant to 120-14-1(3)(1)(c), CRS 1963, as amended, which Motion was denied.

E. G. Waymire, Maynard Bellerive, Sam Sasaki, Jr., E.A. Graham, and Karl Rathgeber testified in support of the application. Allen L. Jones, Gloria Rudden, Laurel Engels, Stanley Stafford, George L. Grippa, William Gleason, Mrs. Henry (Alice) Dickinson, Carl DeBell, George Ditolla, Melvin E. Thoutt, Carl Thoutt, Jr., and Ruth A. Brown testified in protest of the granting of the application.

Exhibits Nos. 1, 2, 3, 4, 5, 6, 7, 8, and 9 were tendered and admitted into evidence.

At the conclusion of the hearing, the subject matter was taken under advisement.

Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes (1963), as amended, Examiner Robert L. Pyle now transmits herewith to the Commission the record and exhibits of this proceeding together with a written recommended decision which contains his findings of fact and conclusions thereon, together with the recommended order or requirement.

FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact that:

1. Applicant, the County of Adams, is a political subdivision of the State of Colorado and, by this application, seeks approval and authority from this Commission for the installation and maintenance of automatic grade crossing protection signals and short-arm gates at the grade crossing of Lowell Boulevard over the paralleling tracks of The Denver and Rio Grande Western Railroad Company and the Colorado & Southern Railway Company in Adams County at Denver and Rio Grande Milepost 5.28 and Colorado & Southern Milepost 5.17 and for an allocation of costs in accordance with the provisions of 115-4-6, CRS 1963, as amended, relating to financial assistance through the Commission Highway Crossing Protection Fund, in the event said application is granted. The application also seeks to close and otherwise abandon the present Tennyson Street roadway crossing of The Denver and Rio Grande Western Railroad Company railroad tracks and the Colorado & Southern Railway Company railroad tracks upon the completion of Interstate Highway No. 80S by the Highway Department in the vicinity of said crossing.

2. Pursuant to Exhibit No. 2 (an Agreement between the County of Adams and the railroad companies involved) it was agreed, among other things, that said railroad companies would cooperate in presenting all matters involved to the Public Utilities Commission.

3. There were no protests to the installation of signals and gates and otherwise upgrading the Lowell Boulevard crossing. However, 103 persons living within the area affected thereby, through their attorney, Anthony V. Zarlengo; Mr. Melvin E. Thoutt and Mr. Carl Thoutt, individuals who own several pieces of property in the area, through their attorney, Stephen G. Heady; the Baker Metropolitan Water and Sanitation District, through its attorney, Arnold Alperstein; and nearby residents, Mr. and Mrs. Vern G. Brown, appeared to protest the abandonment and closing of the Tennyson Street crossing.

4. The Commission has jurisdiction over the parties and the subject matter of this proceeding.

5. The Board of County Commissioners of the County of Adams, State of Colorado, The Denver and Rio Grande Western Railroad Company, and Colorado & Southern Railway Company entered into an Agreement (Exhibit No. 2) providing for the distribution of costs in upgrading the Lowell Boulevard crossing, the maintenance and repair of the devices used, and for the matters involved in closing the Tennyson Street crossing. The application requests that authorization be granted in accordance with said Agreement. Estimated cost for proposed signal devices is \$17,954 (Exhibit No. 8).

6. The area involved in and around these two crossings is depicted in considerable detail by Exhibit No. 5, which is an aerial photograph of the area; Exhibit No. 6, which is a development map of the area; and Exhibit No. 7, which is a zoning map of the area. Generally, the area can best be described as follows: The Denver and Rio Grande Western Railroad Company tracks and the Colorado & Southern Railway Company tracks run parallel through the area and, except for a slight angle, can generally be considered to run in an east-west direction. The streets involved, namely, Tennyson and Lowell, both run north and south and cross the tracks about one-half mile apart. They are both two-lane asphalt paved streets. Since the streets are designated alphabetically in order going from east to west, one would

first cross Lowell Boulevard and then come alphabetically to Tennyson Street. There are no other streets crossing the tracks between these two streets. The next street crossing to the west is Sheridan Boulevard or Colorado Highway No. 95, which is about one-half mile further west of Tennyson Street, and the next crossing to the east is Federal Boulevard, which is about one-half mile east of Lowell Boulevard. The County of Adams has plans to make Lowell Boulevard the better of the two streets as far as Lowell and Tennyson are concerned by widening Lowell Boulevard to four lanes. The Lowell Boulevard bridge crossing Clear Creek to the south has been replaced recently and is practically new; whereas the Tennyson Street bridge crossing Clear Creek is quite old, has room for only one lane of traffic and is restricted as to vehicular weights. The railroads could generally be considered as running about where 59th Avenue would be and the nearest street to the south connecting Lowell Boulevard with Tennyson Street is 56th Avenue. The nearest street to the north connecting Lowell Boulevard with Tennyson Street is 64th Avenue. The County has tentative plans to construct another roadway connecting the two streets at about 61st Avenue or 62nd Avenue. The area immediately north of the railroad tracks is a series of ponds owned and maintained by Protestant, Baker Metropolitan Water and Sanitation District. This encompasses about 70 acres and covers the area between Lowell Boulevard and Tennyson Street. The water is sold for domestic purposes and the District uses both the Tennyson Street and the Lowell Boulevard crossings to service and maintain these lakes. The nearest schools are Tennyson Knolls Elementary School near the corner of Tennyson Street and 64th Avenue and Baker Elementary School at the corner of Lowell Boulevard and 64th Avenue. There is also Hodgkins Junior High School near Lowell Boulevard and 68th Avenue. The nearest fire station is near 67th Avenue on Lowell Boulevard. Tennyson Street dead ends to the north near 66th Avenue where, if projected, it would run into Hidden Lake, which lake extends from approximately Lowell Boulevard to Sheridan Boulevard and from 66th Avenue to 68th Avenue. Interstate Highway No. 80S

is proposed to run through the area between the railroad tracks and 52nd Avenue. It will also go at a slight angle but will generally run east and west. The planned exits for Interstate Highway No. 80S will be at Federal Boulevard and Sheridan Boulevard. Both Lowell Boulevard and Tennyson Street will possibly have a passage under the Interstate but no interchange. The area is sparsely populated, has some truck gardens, lots of rough marshy areas, and several sand and gravel pits or developments. Except for two or three small housing project areas, residential growth in the area is sporadic. During the morning and afternoon rush hours Lowell Boulevard carries very heavy traffic, and it is almost impossible to get onto Sheridan Boulevard, especially if making a left turn, from one of the side streets. People living in the area use both the Lowell Boulevard and Tennyson Street crossings. Pursuant to Exhibit No. 4, the average daily traffic volume over the crossings is 2,135 vehicles at Lowell Boulevard and 730 vehicles at Tennyson Street. The Federal Boulevard and Sheridan Boulevard crossings are by overpass, and there is presently a flashing signal light at the Lowell Boulevard crossing and a stop sign at the Tennyson Street crossing. The two sets of tracks are approximately 70 feet apart at Tennyson Street and approximately 32 feet apart at Lowell Boulevard.

7. The extra time involved and distance traveled by reason of closing the Tennyson Street crossing is not great. At the most, it would be two or three minutes of time and less than one mile in distance.

8. It must be noted that the public authorities involved; namely, the Adams County Board of Commissioners and the Adams County Zoning Administrator, as well as the railroad officials, all support the closing of the Tennyson Street crossing. This is the main line of the Denver and Rio Grande where an average of 12 to 14 trains travel daily at irregular times and at all hours at speeds up to 60 miles per hour. It is not a 90° angle crossing but approaches at a slight angle. Seventy (70) feet away are the Colorado & Southern tracks running parallel to the Denver and Rio Grande tracks, which makes it possible to have trains

crossing from opposite directions and close together. Four trains pass daily at irregular times. The two sets of tracks are only thirty-two (32) feet apart at the Lowell Boulevard crossing, and plans are underway to widen and upgrade Lowell Boulevard where a new bridge has already been placed over Clear Creek. Obviously, the Tennyson Street crossing is considered to be and is the lesser of the two crossings. If one is to be closed, the most logical would be Tennyson Street.

9. Nine school buses use the Tennyson Street crossing each day, which is protected by only a stop sign. The minor inconvenience of closing the Tennyson Street crossing for those persons who do use it, even regularly, is far outweighed by the overall safety to the public.

10. Because of increased traffic in the area, increased population and increased use of the crossing, the hazard at the Tennyson Street crossing has and will become increasingly worse. Public safety is paramount, and the slight inconvenience to certain individuals is far outweighed by the need for such public safety.

11. Although individuals living in the area may, and probably will, suffer some inconvenience, the public convenience and necessity demands that the Tennyson Street crossing be closed. Surely the upgrading of the Lowell Boulevard crossing, only one-half mile away, will more than offset the slight inconvenience of the neighboring public. The safety factor involved at the Tennyson Street crossing, where only sign protection is provided, is significant if for no other reason than the fact of its use by the public school buses whose safety is of paramount importance.

12. In view of the dual tracks, there is a special and unusual hazard at the Tennyson Street crossing, and a reasonable alternate route does exist only one-half mile away in either direction.

13. While there is no history of any accident at the Tennyson Street crossing, such crossings do, nevertheless, constitute a hazard to the public who use them. Neither logic nor law requires that the

Commission wait for an accident to happen to justify the closing of a substantially unnecessary and inherently dangerous railroad crossing.

14. The convenience of a relatively small and localized segment of the public together with advantages to a few business enterprises must be subservient to the public safety.

15. With the completion of Interstate Highway No. 80S less than one-half mile away and the improvements of access on and off Sheridan Boulevard together with the planned widening and improving of Lowell Boulevard, any need at all for the Tennyson Street crossing will be ended or, at least, reduced to a minimum. Therefore, the public safety and necessity requires or will require the abandonment of the Tennyson Street crossing following the substantial completion of Interstate Highway No. 80S in the immediate area.

16. Pursuant to the Agreement of the parties (Exhibit No. 2), the allocation of costs for the installation of signals and protective devices at the Lowell Boulevard crossing is:

10% by The Denver and Rio Grande Western Railroad Company and Colorado & Southern Railway Company on a joint basis;

10% by the County of Adams, State of Colorado;

80% by the Commission Highway Crossing Protection Fund.

17. The signaling devices shall consist of one complete installation of standard curbside flasher signals supplemented with short-arm gates. One unit is to be placed at the south side approach of Lowell Boulevard to the Colorado & Southern track and one unit is to be placed at the north approach of Lowell Boulevard to the Denver and Rio Grande track.

18. Materials and labor are generally available and completion of the grade crossing at Lowell Boulevard would be anticipated within six months of the date of this Order.

19. The Denver and Rio Grande Western Railroad Company and the Colorado & Southern Railway Company will provide all maintenance to the devices following installation for the life of the crossing so protected.

20. No part of the cost of the proposed signal devices would be paid from funds available under any Federal or Federal-Aid Highway Act.

CONCLUSIONS ON FINDINGS OF FACT

Based on all the evidence of record and the above and foregoing findings of fact, it is concluded that:

1. The signaling devices at the Lowell Boulevard crossing and abandonment of the Tennyson Street crossing as herein contemplated are required so as to promote the public safety.

2. The Order sought in the instant application concerning installation of signals and protective devices should be granted and installation cost prorated as hereinafter ordered.

3. The closing and abandonment of the Tennyson Street crossing should be allowed as hereinafter ordered.

4. Pursuant to 115-6-9 (2), CRS 1963, as amended, it is recommended by the Examiner that the Commission enter the following

O R D E R

THE COMMISSION ORDERS:

1. That the Denver and Rio Grande Western Railroad Company and the Colorado & Southern Railway Company, upon the application of the County of Adams, State of Colorado, be, and hereby are, directed to install, operate, and maintain standard automatic railroad flashing signals and short-arm gates at the grade crossing of Lowell Boulevard over the paralleling tracks of The Denver and Rio Grande Western Railroad Company and the Colorado & Southern Railway Company in Adams County, Colorado, at Denver and Rio Grande Milepost 5.28 and Colorado & Southern Milepost 5.17 in accordance with the plans and specifications, which are incorporated into the record of this proceeding and which are hereby approved.

2. That the installation and maintenance of the signal devices shall be done as set forth in the Agreement between the parties, which Agreement, by reference, is made a part hereof.

3. That continuing maintenance work shall be performed by The Denver and Rio Grande Western Railroad Company and the Colorado &

Southern Railway Company at their own expense for the life of the crossing so protected.

4. That a fair, just, and equitable distribution of the total cost of the installation of the proposed automatic railroad flashing light signals, short-arm gates, and bell shall be as follows:

- (a) The County of Adams to pay ten percent (10%) thereof to cover its share of benefits received from such installation. Upon completion of the proposed work, an itemized statement of the actual costs and a bill covering said 10 percent shall be forwarded by The Denver and Rio Grande Western Railroad Company to the County of Adams, which bill shall be paid to the aforesaid Railroad within thirty (30) days of receipt thereof.
- (b) The Denver and Rio Grande Western Railroad Company and the Colorado & Southern Railway Company shall contribute, on a joint basis, ten percent (10%) of the cost of said installations and shall thereafter maintain said signals and bell to cover their share of the benefits therefrom.
- (c) The remainder of the cost, or eighty percent (80%), shall be paid out of the Commission Highway Crossing Protection Fund. Upon completion of the proposed work, an itemized statement of the actual costs and a bill covering such 80 percent shall be forwarded by The Denver and Rio Grande Western Railroad Company to the Commission, which bill shall be paid within thirty (30) days after receipt thereof.

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

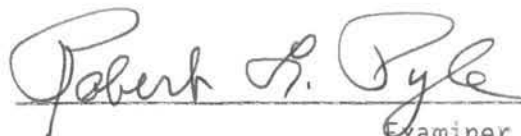
6. That the Tennyson Street crossing of both The Denver and Rio Grande Western Railroad Company and the Colorado & Southern Railway Company tracks shall be closed and otherwise abandoned upon the substantial completion of Interstate Highway No. 80S in the immediate area.

7. That the Commission hereby retains jurisdiction to make such further order or orders as may be required in the instant matter.

8. That this Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinabove set out.

9. That as provided by 115-6-9 (2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period of time as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed within such time by the Commission upon its own motion, such Recommended Decision shall become the Decision of the Commission and subject to the provisions of 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Examiner
hbp

(Decision No. 78044)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
MICHAEL G. MALOTT, 3301 MOORE LANE,)	APPLICATION NO. 25046-PP-TA
FORT COLLINS, COLORADO, FOR TEMPO-)	
RARY AUTHORITY TO OPERATE AS A)	ORDER GRANTING TEMPORARY AUTHORITY
CLASS "B" CONTRACT CARRIER BY MOTOR)	
VEHICLE.)	

June 24, 1971

The above-entitled application under CRS 1963, 115-6-20(1),
being under consideration, and

It appearing, That there is an immediate and urgent need for
the motor carrier service described in the appendix attached hereto, and
that there is no carrier service available capable of meeting such need.

It is ordered, That Applicant be, and is hereby, granted tempo-
rary authority, conditioned upon full compliance with all applicable
statutory and Commission requirements, rules and regulations, to engage
in the business of transportation by motor vehicle to the extent and in
the manner set forth in the appendix attached hereto.

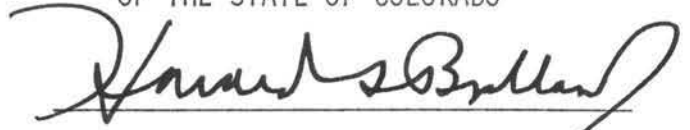

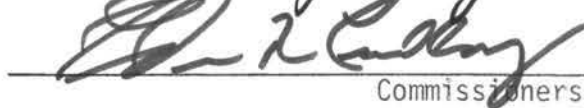
It is further ordered, That the service provided for in this
order shall not be commenced until all requirements have been met and
Applicant has received notice in writing from the Commission that compli-
ance has been effected and service may be instituted.

It is further ordered, That upon the authority herein granted
becoming effective, failure of the Applicant to maintain compliance with
statutory and Commission requirements shall constitute sufficient grounds
for suspension, change or revocation of the said authority.

It is further ordered, That if Applicant fails to comply with
all applicable statutory and Commission requirements, rules and regula-
tions within fifteen (15) days from the date hereof, this Order shall be
of no further force and effect.

It is further ordered, That the authority herein granted shall create no presumption that corresponding permanent authority will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
24th day of June, 1971.
vjr

(Decision No. 78044)
June 24, 1971

APPENDIX

Application No. 25046-PP-TA

Michael G. Malott
3301 Moore Lane
Fort Collins, Colorado

By Order of the Commission which this appendix is a part hereof, entered under the name and number shown above, Applicant, upon compliance with the conditions set forth therein and after receipt of notice in writing from the Commission that said conditions have been met, is authorized to engage in the business of transportation by motor vehicle as follows:

TIME FOR WHICH TEMPORARY AUTHORITY IS GRANTED - 165 days or until such time as the decision of the Commission on the corresponding permanent application of the Applicant becomes final, whichever occurs first.

TYPE OF CARRIER - Contract

SERVICE AUTHORIZED:

Temporary authority to operate as a class "B" contract carrier by motor vehicle with authority as follows:

"Transportation of

Farm products

Between all points located within an area comprised of the Counties of Larimer, Weld, and Jackson, State of Colorado.

RESTRICTION: This temporary authority is restricted against transporting livestock, bulk milk, and dairy products."

(Decision No. 78045)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
JAMES L. CULLEN, DOING BUSINESS AS)	
"C & W CONSTRUCTION COMPANY," 350 -	)	APPLICATION NO. 24990-PP-TA
4TH, P. O. BOX 973, STEAMBOAT SPRINGS,)	
COLORADO, FOR TEMPORARY AUTHORITY TO	)	SUPPLEMENTAL ORDER
OPERATE AS A CLASS "B" CONTRACT)	
CARRIER BY MOTOR VEHICLE.)	

- - - - -
June 24, 1971
- - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On May 25, 1971, the Commission entered Decision No. 77692 in the above-styled application, granting Applicant herein the right to operate with temporary authority as a class "B" contract carrier by motor vehicle for hire.

Said Applicant has failed to comply with the requirements set forth in said Decision No. 77692, that is, has failed to file a certificate of public liability and property damage insurance.

The Commission states and finds that inasmuch as Applicant has not fulfilled requirements set forth in Decision No. 77692, temporary operating rights granted thereby should be revoked, as set forth in the Order following.

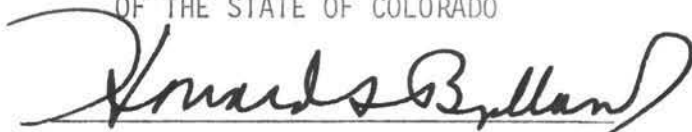
O R D E R

THE COMMISSION ORDERS:

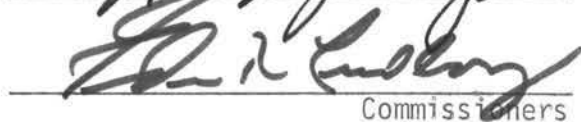
That the temporary operating rights granted to James L. Cullen, doing business as "C & W Construction Company," 350 - 4th, P. O. Box 973, Steamboat Springs, Colorado, by Decision No. 77692, dated May 24, 1971, be, and the same hereby are, revoked for failure of Applicant to comply with requirements set forth in said Decision No. 77692.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners

Dated at Denver, Colorado, this
24th day of June, 1971.

vjr

2.

(Decision No. 78046)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HENRY LINDEMANN AND DOROTHY C.)
LINDEMANN, DOING BUSINESS AS "H & L)
RUBBISH REMOVAL," 4320 SOUTH HURON,)
ENGLEWOOD, COLORADO, FOR TEMPORARY)
APPROVAL TO CONDUCT OPERATIONS UNDER)
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY PUC NO. 3742, PENDING)
THE DETERMINATION OF THE APPLICATION)
TO ACQUIRE SAID CERTIFICATE.)

APPLICATION NO. 24985-Transfer-TA
SUPPLEMENTAL ORDER

- - - - -
June 24, 1971
- - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On May 24, 1971, the Commission entered Decision No. 77683 in the above-styled application, granting Applicants herein the right to operate with temporary authority as a common carrier by motor vehicle for hire.

Said Applicants have failed to comply with the requirements set forth in said Decision No. 77683, that is, have failed to file a certificate of public liability and property damage insurance and a designation of agent.

The Commission states and finds that inasmuch as Applicants have not fulfilled requirements set forth in Decision No. 77683, temporary operating rights granted thereby should be revoked, as set forth in the Order following.

O R D E R

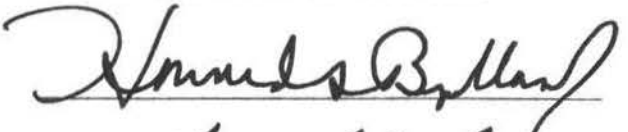
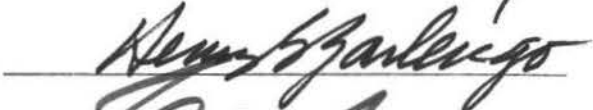

THE COMMISSION ORDERS:

That the temporary operating rights granted to Henry Lindemann and Dorothy C. Lindemann, doing business as "H & L Rubbish Removal, 4320 South Huron, Englewood, Colorado, by Decision No. 77683, dated May 24, 1971,

be, and the same hereby are, revoked for failure of Applicants to comply with requirements set forth in said Decision No. 77683.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
24th day of June, 1971.

vjr

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
PERMIT NO. A-792

BY: L. A. GRIFFITH
P.O. BOX 673
CENTRAL CITY, COLORADO 80427
RESPONDENT

CASE NO. T-26

RECOMMENDED DECISION OF
ROBERT L. PYLE
EXAMINER

June 24, 1971

Appearances: Irven T. Burke, Denver, Colorado
of the Staff of the Commission

PROCEDURE AND RECORD

On April 5, 1971, Respondent, L. A. Griffith, Central City, Colorado, ceased to participate in National Motor Freight Traffic Association, and thus, automatically, eliminated its participation in the classification tariff of said Association.

Since, in accordance with the Public Utilities Law of the State of Colorado, a carrier by motor vehicle cannot operate without having published a valid tariff of rates and charges, said Respondent was ordered to file said classification tariff with the Commission by April 5, 1971. Respondent did not file said classification tariff within the time specified by this Commission.

By Decision No. 77439, dated April 21, 1971, the Commission found as fact that Respondent was in violation of the Public Utilities Law of the State of Colorado, and ordered said Respondent to appear before the Commission on May 17, 1971, at 10:00 a.m., in the Hearing Room of the Commission, Columbine Building, 1845 Sherman Street, Denver, Colorado, to show cause why the Commission should not take such action and enter such Order or penalty as may be appropriate, including, but not limited to, an Order cancelling Respondent's Permit No. A-792.

The Commission, pursuant to law, designated Robert L. Pyle, Examiner, for the purpose of conducting the hearing.

The hearing was held at the aforesaid time and place.

Witness Irven T. Burke, of the Staff of the Commission, testified concerning this matter.

At the conclusion of the hearing, the subject matter was taken under advisement.

Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes (1963) as amended, Examiner Robert L. Pyle now transmits herewith to the Commission the record and exhibits of this proceeding together with a written recommended decision which contains his findings of fact and conclusions thereon, together with the recommended order or requirement.

FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact:

1. This is a proceeding by the Commission against Respondent to show cause why the Commission should not take such action and enter such Order or penalty as may be appropriate, including, but not limited to, an Order cancelling the Respondent's Permit No. A-792.

2. Respondent, L. A. Griffith, is a contract carrier by motor vehicle, and a public utility in the meaning of the Public Utilities Law of the State of Colorado.

3. The Commission has jurisdiction over said Respondent and the subject matter in these proceedings.

4. Respondent received due notice by first class mail from this Commission on January 19, 1971, that its participation in said tariff had been eliminated, and Respondent has written for participation and a copy of said correspondence is on file with the Commission.

5. Respondent failed to so publish and file the aforesaid tariff.

6. This Commission, by Decision No. 77439, dated April 21, 1971, Case No. T-26, issued an Order to Show Cause and Notice of Hearing

to the Respondent.

7. Hearing was held on May 17, 1971.

8. The Respondent has since applied to the National Motor Freight Traffic Association for participation as required.

CONCLUSIONS ON FINDINGS OF FACT

Based on the aforesaid findings of fact, it is concluded, that:

1. Since the Respondent has complied by filing for said classification tariff participation, Case No. T-26 should be dismissed.

2. Respondent is admonished that it shall file all and any future tariffs as required by and in accordance with the rules and regulations as promulgated by the Commission.

3. Failure in the future by the Respondent to comply with the rules and regulations of the Commission, in any respect, may cause its motor vehicle operating rights to be revoked and cancelled.

4. Pursuant to Section 115-6-9 (2), CRS 1963, as amended, it is recommended by the Examiner that the Commission enter the following

O R D E R

THE COMMISSION ORDERS:

That, subject to the provisions of Paragraph 5 of this Order,

1. Case No. T-26, be, and the same hereby is, dismissed.


2. Respondent is admonished that it shall file all and any future tariffs, including the classification tariff, as required by and in accordance with the rules and regulations as promulgated by the Commission.

3. Failure in the future by the Respondent to comply with the rules and regulations of the Commission, in any respect, may cause its motor vehicle operating rights to be revoked and cancelled.

4. This Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinabove set out.

5. As provided by Section 115-6-9 (2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period of time as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed by the Commission upon its own motion, such Recommended Decision shall become the Decision of the Commission and subject to the provisions of Section 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Examiner

(Decision No. 78048)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
IVAN HICKS AND ROBERT L. HUFF, DOING)
BUSINESS AS "H & H RUBBISH REMOVAL,")
830 SOUTH CLARKSON STREET, DENVER,)
COLORADO, FOR AUTHORITY TO TRANSFER)
ALL RIGHT, TITLE, AND INTEREST IN)
AND TO CERTIFICATE OF PUBLIC CONVEN-)
IENCE AND NECESSITY PUC NO. 3259 TO)
JAMES S. MYK, DOING BUSINESS AS "MYK)
RUBBISH REMOVAL," RFD #3, BOX 277B,)
BRIGHTON, COLORADO.)

APPLICATION NO. 24962-Transfer
ORDER OF THE COMMISSION

June 25, 1971

It appearing, That by Order of the Commission dated April 28, 1971, notice of the filing of the above-entitled application was given to all interested persons, firms and corporations pursuant to CRS 1963, 115-6-8(2);

It further appearing, That no protest, objection or petition to intervene or otherwise participate in the proceeding has been filed by any person within the time prescribed by the Commission in said Order, and that the herein proceeding is therefore uncontested and unopposed;

It further appearing, That pursuant to CRS 1963, 115-6-9(5), the herein matter is one which may properly be determined without the necessity of a formal oral hearing and that the taking of evidence in this proceeding should be by reference to the verified application as filed with the Commission together with such additional information or data as may have been required of Applicants in connection with said filing, and the files and records of the Commission;

And it further appearing, That the evidence thus submitted amply warrants approval of the transfer as hereinafter ordered;

Wherefore, and good cause appearing therefor:

We find, That the financial standing of the Transferee has been satisfactorily established and that the transfer is compatible with the public interest;

And we further find, That Transferee is fit, willing and able properly to engage in bona fide motor carrier operations under the authority to be transferred and to conform to the applicable statutory requirements and the Commission's rules and regulations thereunder, and that an appropriate order should be entered; and

It is ordered, That Ivan Hicks and Robert L. Huff, doing business as "H & H Rubbish Removal," 830 South Clarkson Street, Denver, Colorado, be, and are hereby, authorized to transfer all right, title and interest in and to Certificate of Public Convenience and Necessity PUC No. 3259 to James S. Myk, doing business as "Myk Rubbish Removal," RFD #3, 277B, Brighton, Colorado, subject to encumbrances, if any, against said authority approved by this Commission.

It is further ordered, That henceforth the full and complete authority under Certificate of Public Convenience and Necessity PUC No. 3259 shall read and be as follows, to-wit:

"Transportation of

Ash, trash, and other refuse

From all points located within the City and County of Denver, to designated and approved dumps and disposal sites located in the Counties of Adams, Arapahoe, Denver, and Jefferson, State of Colorado."

It is further ordered, That said transfer shall become effective only if and when, but not before, said Transferors and Transferee, in writing, have advised the Commission that said Certificate has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order, to be by them or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of this Order shall automatically revoke the

It is further ordered, That the right of Transferee to operate under this Order shall be dependent upon 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 Certificate up to the time of transfer of said Certificate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado, this
25th day of June, 1971.
vjr

(Decision No. 78049)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)	
E. W. McCONNELL)	
140 Chipeta)	PERMIT NO. B-6493
Grand Junction, Colorado)	
81501)	

June 25, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

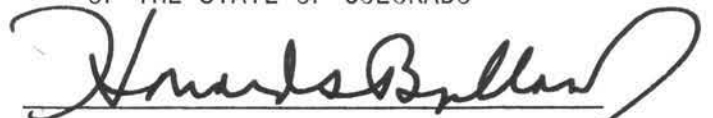
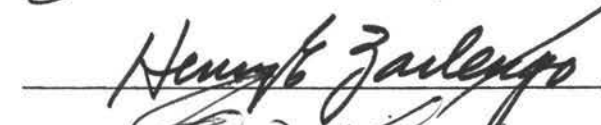

The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective June 17, 1971.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 25th day of June, 1971.
hj

(Decision No. 78050)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
LEROY E. SCHNELL)
Route 1, Box 7) PERMIT NO. B-6462
Henderson, Colorado 80640)

June 25, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

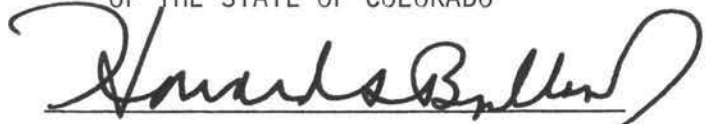
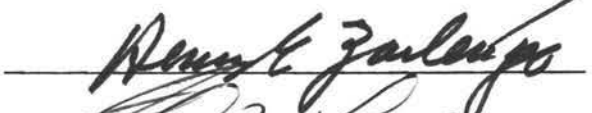
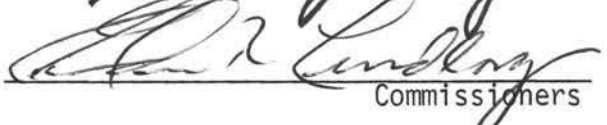
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective June 5, 1971.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 25th day of June, 1971.
hj

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JOE F. ENRIGHT, OWNER OF ALL THE OUT-)
STANDING CAPITAL STOCK IN AND TO)
OVERLAND MOTOR EXPRESS, INC., DOING)
BUSINESS AS "BOULDER DENVER TRUCK)
LINE," 3790 ARMER DRIVE, BOULDER,)
COLORADO, FOR AUTHORITY TO TRANSFER)
A PORTION OF THE OUTSTANDING CAPITAL)
STOCK IN AND TO OVERLAND MOTOR)
EXPRESS, INC., DOING BUSINESS AS)
"BOULDER DENVER TRUCK LINE," RECORD)
OWNER OF CERTIFICATE OF PUBLIC CON-)
VENIENCE AND NECESSITY PUC NO. 3058)
AND PUC NO. 3058-I TO DONALD F.)
ENRIGHT, JOSEPH O. ENRIGHT, JAMES)
FITZGERALD, KENNETH D. LOGAN, JR.,)
AND GLENN E. ROWLEY, 3125 WALNUT)
STREET, BOULDER, COLORADO.)

APPLICATION NO. 24937-Stock Transfer

IN THE MATTER OF THE APPLICATION OF)
JOE F. ENRIGHT, OWNER OF ALL THE OUT-)
STANDING CAPITAL STOCK IN AND TO)
OVERLAND MOTOR EXPRESS, INC., DOING)
BUSINESS AS "BOULDER DENVER TRUCK)
LINE," 3790 ARMER DRIVE, BOULDER,)
COLORADO, FOR AUTHORITY TO TRANSFER)
A PORTION OF THE OUTSTANDING CAPITAL)
STOCK IN AND TO OVERLAND MOTOR)
EXPRESS, INC., DOING BUSINESS AS)
"BOULDER DENVER TRUCK LINE," RECORD)
OWNER OF CONTRACT CARRIER PERMIT NO.)
A-713 TO DONALD F. ENRIGHT, JOSEPH O.)
ENRIGHT, JAMES FITZGERALD, KENNETH D.)
LOGAN, JR., AND GLENN E. ROWLEY, 3125)
WALNUT STREET, BOULDER, COLORADO.)

APPLICATION NO. 24938-PP-Stock Transfer

ORDER OF THE COMMISSION

- - - - -
June 25, 1971
- - - - -

Appearances: John P. Thompson, Esq.,
Denver, Colorado,
for Applicants.

It appearing, That by Order of the Commission dated April 28,
1971, notice of the filing of the above-entitled application was given
to all interested persons, firms and corporations pursuant to CRS 1963,
115-6-8(2);

It further appearing, That no protest, objection or petition to intervene or otherwise participate in the proceeding has been filed by any person within the time prescribed by the Commission in said Order, and that the herein proceeding is therefore noncontested and unopposed;

It further appearing, That pursuant to CRS 1963, 115-6-9(5), the herein matter is one which may properly be determined without the necessity of a formal oral hearing and that the taking of evidence in this proceeding should be by reference to the verified application as filed with the Commission together with such additional information or data as may have been required of Applicants in connection with said filing, and the files and records of this Commission;

And it further appearing, That the evidence thus submitted amply warrants approval of the transfers as hereinafter ordered;

Wherefore, and good cause appearing therefor:

We find, That the financial standing of the Transferees has been satisfactorily established and that the transfers are compatible with the public interest;

And we further find, That Transferees are fit, willing and able properly to engage in bona fide motor carrier operations under the authorities to be transferred and to conform to the applicable statutory requirements and the Commission's rules and regulations thereunder, and that an appropriate Order should be entered; and

It is ordered, That Joe F. Enright, owner of all the outstanding capital stock in and to Overland Motor Express, Inc., doing business as "Boulder Denver Truck Line," 3790 Armer Drive, Boulder, Colorado, be, and is hereby, authorized to transfer a portion of the outstanding capital stock in and to Overland Motor Express, Inc., doing business as "Boulder Denver Truck Line," record owner of Certificate of Public Convenience and Necessity PUC No. 3058 and PUC No. 3058-I and Contract Carrier Permit

No. A-713 to Donald F. Enright, Joseph O. Enright, James Fitzgerald, Kenneth D. Logan, Jr., and Glenn E. Rowley, 3125 Walnut Street, Boulder, Colorado, subject to encumbrances, if any, against said authorities approved by this Commission.

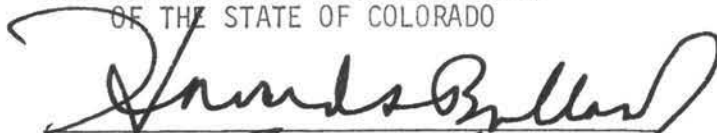
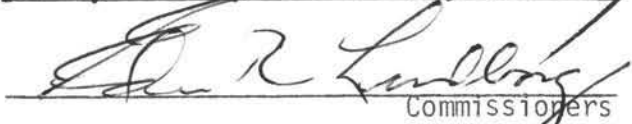
It is further ordered, That said transfer of stock shall become effective only if and when, but not before, said Transferor and Transferees, in writing, have advised the Commission that said stock certificates have been formally assigned, and that said parties have accepted, and in the future will comply 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 transfers, without further order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

It is further ordered, That the tariff of rates, rules, and regulations of Transferor shall, upon proper adoption notice, become and remain those of Transferees until changed according to law and the rules and regulations of this Commission.

It is further ordered, That the right of Transferees to operate under this Order shall be dependent upon 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 Certificate and Permit up to the time of the transfer of said Certificate and Permit.

And it is further ordered, That this Order shall become effective twenty-one (21) days from the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

COMMISSIONER HENRY E. ZARLENGO NECESSARILY
ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado, this
25th day of June, 1971.
vjr

(Decision No. 78052)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LEO G. KOSLEY AND ELIZABETH A. KOSLEY,)
OWNERS OF ALL THE OUTSTANDING CAPITAL)
STOCK IN AND TO L & E FREIGHT LINE,)
INC., BOX AN, LIMON, COLORADO, FOR)
AUTHORITY TO TRANSFER ALL THE OUT-)
STANDING CAPITAL STOCK IN AND TO)
L & E FREIGHT LINE, INC., RECORD)
OWNER OF CERTIFICATE OF PUBLIC CON-)
VENIENCE AND NECESSITY PUC NO. 4693)
AND PUC NO. 4693-I TO JERRY HARDING)
AND ALICE HARDING, BOX AN, LIMON,)
COLORADO.)

APPLICATION NO. 24978-Stock Transfer

ORDER OF THE COMMISSION

- - - - -
June 28, 1971
- - - - -

Appearances: Marion F. Jones, Esq.,
Denver, Colorado,
for Applicants.

It appearing, That by Order of the Commission dated May 12, 1971,
notice of the filing of the above-entitled application was given to all
interested persons, firms and corporations pursuant to CRS 1963, 115-6-8(2);

It further appearing, That no protest, objection or petition to
intervene or otherwise participate in the proceeding has been filed by any
person within the time prescribed by the Commission in said Order, and that
the herein proceeding is therefore noncontested and unopposed;

It further appearing, That pursuant to CRS 1963, 115-6-9(5), the
herein matter is one which may properly be determined without the necessity
of a formal oral hearing and that the taking of evidence in this proceeding
should be by reference to the verified application as filed with the
Commission, together with such additional information or data as may have
been required of Applicants in connection with said filing, and the files
and records of this Commission;

And it further appearing, That the evidence thus submitted amply
warrants approval of the transfers as hereinafter ordered;

Wherefore, and good cause appearing therefor:

We find, That the financial standing of the Transferees has been satisfactorily established and that the transfer is compatible with the public interest;

And we further find, That Transferees are fit, willing and able properly to engage in bona fide motor carrier operations under the authority to be transferred and to conform to the applicable statutory requirements and the Commission's rules and regulations thereunder, and that an appropriate Order should be entered; and

It is ordered, That Leo G. Kosley and Elizabeth A. Kosley, owners of all the outstanding capital stock in and to L & E Freight Line, Inc., Box AN, Limon, Colorado, be, and are hereby, authorized to transfer all the outstanding capital stock in and to L & E Freight Line, Inc., record owner of Certificate of Public Convenience and Necessity PUC No. 4693 and PUC No. 4693-I to Jerry Harding and Alice Harding, Box AN, Limon, Colorado, subject to encumbrances, if any, against said authority approved by this Commission.

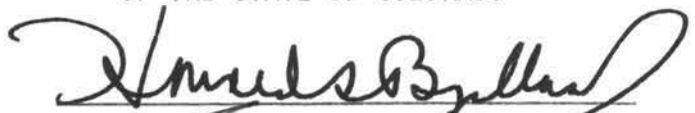

It is further ordered, That said transfer of stock shall become effective only if and when, but not before, said Transferors and Transferees, in writing, have advised the Commission that said stock certificates have been formally assigned, and that said parties have accepted, and in the future will comply 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.

It is further ordered, That the tariff of rates, rules and regulations of Transferors shall, upon proper adoption notice, become and remain those of Transferees until changed according to law and the rules and regulations of this Commission.

It is further ordered, That the right of Transferees to operate under this Order shall be dependent upon 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 Certificate up to the time of the transfer of said Certificate.

And it is further ordered, That this Order shall become effective twenty-one (21) days from the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

COMMISSIONER HENRY E. ZARLENGO NECESSARILY
ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado, this
28th day of June, 1971.

vjr

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
CERTIFICATE NO. 1181)
BY: LONGHORN TRUCK LINE, INC.)
920 CHEROKEE STREET)
FORT MORGAN, COLORADO 80701)
RESPONDENT -----)

CASE NO. T-30

RECOMMENDED DECISION OF
CHRISTIAN O. IGENBERGS,
EXAMINER

June 25, 1971

Appearances: Irven T. Burke, Denver, Colorado
of the Staff of the Commission

PROCEDURE AND RECORD

On May 9, 1971, Respondent, Longhorn Truck Line, Inc., ceased to participate in Motor Tariff Service and thus automatically eliminated its participation in Tariff No. 1-A, Colorado PUC No. 3.

Since, in accordance with the Public Utilities Law of the State of Colorado, a carrier by motor vehicle cannot operate without having published a valid tariff of rates and charges, said Respondent was ordered to file said tariff with the Commission by May 9, 1971. Respondent did not file said tariff within the time specified by this Commission.

By Decision No. 77761, dated June 1, 1971, the Commission found as fact that Respondent was in violation of the Public Utilities Law of the State of Colorado, and ordered said Respondent to appear before the Commission on June 21, 1971, at 9:00 o'clock a.m., in the Hearing Room of the Commission, Columbine Building, 1845 Sherman Street, Denver, Colorado, to show cause why the Commission should not take such action and enter such Order or penalty as may be appropriate, including, but not limited to, an Order cancelling Respondent's Certificate No. 1181.

The Commission, pursuant to law, designated Christian O. Igenbergs, Examiner, for the purpose of conducting the hearing.

The hearing was held at the aforesaid time and place.

Witness Irven T. Burke, of the Staff of the Commission, testified concerning this matter.

At the conclusion of the hearing, the subject matter was taken under advisement.

Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes (1963) as amended, Examiner Christian O. Igenbergs now transmits herewith to the Commission the record and exhibits of this proceeding together with a written recommended decision which contains his findings of fact and conclusions thereon, together with the recommended order or requirement.

FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact:

1. This is a proceeding by the Commission against Respondent to show cause why the Commission should not take such action and enter such Order or penalty as may be appropriate, including, but not limited to, an Order cancelling the Respondent's Certificate No. 1181.

2. Respondent, Longhorn Truck Line, Inc., is a common carrier by motor vehicle, and a public utility in the meaning of the Public Utilities Law of the State of Colorado.

3. The Commission has jurisdiction over said Respondent and the subject matter in these proceedings.

4. Respondent received due notice by first class mail from this Commission on April 13, 1971, that its participation in said tariff had been eliminated, and Respondent has written for participation and a copy of said correspondence is on file with the Commission.

5. On April 13, 1971, by first class mail, Respondent was notified and required to publish and file a valid tariff with this Commission on or before May 9, 1971.

6. Respondent failed to so publish and file the aforesaid tariff.

7. This Commission, by Decision No. 77761, dated June 1, 1971, Case No. T-30, issued an Order to Show Cause and Notice of Hearing

8. Hearing was held on June 21, 1971.

9. The Respondent has since applied to the Motor Tariff Service for participation as required.

CONCLUSIONS ON FINDINGS OF FACT

Based on the aforesaid findings of fact, it is concluded, that:

1. Since the Respondent has complied by filing for said tariff participation, Case No. T-30 should be dismissed.

2. Respondent is admonished that it shall file all and any future tariffs as required by and in accordance with the rules and regulations as promulgated by the Commission.

3. Failure in the future by the Respondent to comply with the rules and regulations of the Commission, in any respect, may cause its motor vehicle operating rights to be revoked and cancelled.

4. Pursuant to Section 115-6-9 (2), as amended, it is recommended by the Examiner that the Commission enter the following

O R D E R

THE COMMISSION ORDERS:

That, subject to the provisions of Paragraph 5 of this Order,

1. Case No. T-30, be, and the same hereby is, dismissed.

2. Respondent is admonished that it shall file all and any future tariffs, including the classification tariff, as required by and in accordance with the rules and regulations as promulgated by the Commission.

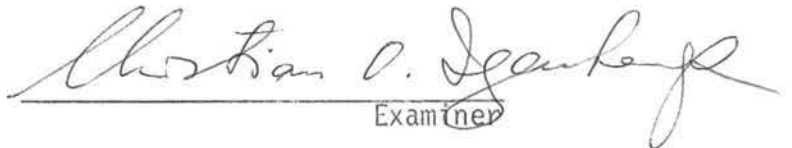
3. Failure in the future by the Respondent to comply with the rules and regulations of the Commission, in any respect, may cause its motor vehicle operating rights to be revoked and cancelled.

4. This Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is

entered as of the date hereinabove set out.

5. As provided by Section 115-6-9 (2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period of time as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed by the Commission upon its own motion, such Recommended Decision shall become the Decision of the Commission and subject to the provisions of Section 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Examiner

Dated at Denver, Colorado, this
25th day of June, 1971. av

(Decision No. 78054)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ROBERT BATES AND ARLIN BATES, OWNERS)
OF ALL THE OUTSTANDING CAPITAL STOCK)
IN AND TO BATES & SONS, INC., BOX 45,)
HYGIENE, COLORADO, FOR AUTHORITY TO)
TRANSFER ALL THE OUTSTANDING CAPITAL)
STOCK IN AND TO BATES & SONS, INC.,)
RECORD OWNER OF CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY PUC NO. 449,)
TO ARLES BATES AND ALMON BATES, BOX 45,)
HYGIENE, COLORADO.)

APPLICATION NO. 24959-Stock Transfer

ORDER OF THE COMMISSION

- - - - -
June 25, 1971
- - - - -

Appearances: Truman A. Stockton, Esq., Denver,
Colorado, for Applicants.

It appearing, That by Order of the Commission dated April 28, 1971,
notice of the filing of the above-entitled application was given to all in-
terested persons, firms and corporations pursuant to CRS 1963, 115-6-8 (2);

It further appearing, That no protest, objection or petition to
intervene or otherwise participate in the proceeding has been filed by any
person within the time prescribed by the Commission in said Order, and that
the herein proceeding is therefore noncontested and unopposed;

It further appearing, That pursuant to CRS 1963, 115-6-9 (5), the
herein matter is one which may properly be determined without the necessity
of a formal oral hearing and that the taking of evidence in this proceeding
should be by reference to the verified application as filed with the Commis-
sion together with such additional information or data as may have been
required of Applicants in connection with said filing, and the files and
records of this Commission;

And it further appearing, That the evidence thus submitted amply warrants approval of the transfers as hereinafter ordered;

Wherefore, and good cause appearing therefor:

We find, That the financial standing of the Transferees has been satisfactorily established and that the transfer is compatible with the public interest.

And we further find, That Transferee is fit, willing and able properly to engage in bona fide motor carrier operations under the authority to be transferred and to conform to the applicable statutory requirements and the Commission's rules and regulations thereunder, and that an appropriate order should be entered; and

It is ordered, That Robert Bates and Arlin Bates, owners of all the outstanding capital stock in and to Bates & Sons, Inc., Box 45, Hygiene, Colorado, be, and are hereby, authorized to transfer all the outstanding capital stock in and to Bates & Sons, Inc., record owner of Certificate of Public Convenience and Necessity PUC No. 449 to Arles Bates and Almon Bates, Box 45, Hygiene, Colorado, subject to encumbrances, if any, against said authority approved by this Commission.

It is further ordered, That said transfer of stock shall become effective only if and when, but not before, said Transferors and Transferees, in writing, have advised the Commission that said stock 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 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.

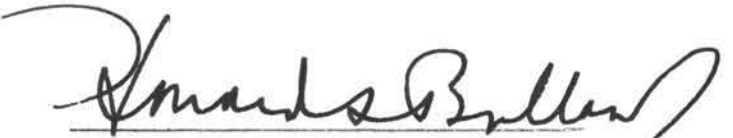
It is further ordered, That the tariff of rates, rules, and regulations of Transferors shall, upon proper adoption notice, become and remain


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


It is further ordered, That the right of Transferees to operate under this Order shall be dependent upon 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 Certificate up to the time of the transfer of said Certificate.

And it is further ordered, That this Order shall become effective twenty-one days from the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO






Commissioners

Dated at Denver, Colorado,
this 25th day of June, 1971.
hj

(Decision No. 78055)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ROGER A. THORP, DOING BUSINESS AS)
"THORP BROTHERS TRANSPORT," ROUTE)
4, BOX 193, LONGMONT, COLORADO,)
FOR TEMPORARY AUTHORITY TO OPERATE)
AS A CLASS "B" CONTRACT CARRIER BY)
MOTOR VEHICLE.)

APPLICATION NO. 24885-PP-TA

SUPPLEMENTAL ORDER

- - - - -
June 25, 1971
- - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On April 12, 1971, the Commission entered Decision No. 77356 in the above-styled application, granting Applicant herein the right to operate with temporary authority as a class "B" contract carrier by motor vehicle for hire.

Said Applicant has failed to comply with the requirements set forth in said Decision No. 77356; that is, has failed to file Certificate of Public Liability and Property Damage Insurance, Cargo Insurance, Tariff, C.O.D. Bond, Customer List, and Designation of Agent.

The Commission states and finds that inasmuch as Applicant has not fulfilled requirements set forth in Decision No. 77356, temporary operating rights granted thereby should be revoked, as set forth in the Order following.

O R D E R

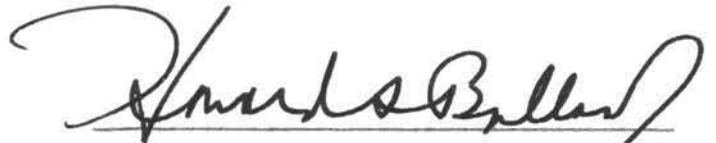
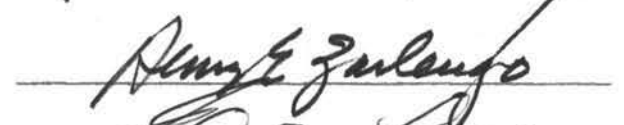

THE COMMISSION ORDERS:

That the temporary operating right granted to Roger A. Thorp, doing business as "Thorp Brothers Transport," Route 4, Box 193, Longmont, Colorado, by Decision No. 77356, dated April 12, 1971, be, and the same

are revoked for failure of Applicant to comply with requirements set forth in said Decision No. 77356.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioner

Dated at Denver, Colorado,
this 25th day of June, 1971.
hbp

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF THE UNITED STATES BANK OF GRAND JUNCTION, GRAND JUNCTION, COLORADO, AS SUCCESSOR IN INTEREST BY FORECLOSURE, FOR AUTHORITY TO TRANSFER ALL RIGHT, TITLE, AND INTEREST IN AND TO CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY PUC NO. 943 AND PUC NO. 943-I TO DOUGLAS M. GARNER, DOING BUSINESS AS "BIG VALLEY TRANSFER," P. O. BOX 55, NORWOOD, COLORADO, AND FOR AN ORDER AUTHORIZING THE MORTGAGING OF SAID CERTIFICATE BY DOUGLAS M. GARNER, DOING BUSINESS AS "BIG VALLEY TRANSFER," TO THE UNITED STATES BANK OF GRAND JUNCTION, GRAND JUNCTION, COLORADO.

APPLICATION NO.
24717-Transfer

IN THE MATTER OF THE APPLICATION OF THE UNITED STATES BANK OF GRAND JUNCTION, GRAND JUNCTION, COLORADO, AS SUCCESSOR IN INTEREST BY FORECLOSURE, FOR AUTHORITY TO TRANSFER ALL RIGHT, TITLE, AND INTEREST IN AND TO CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY PUC NO. 6812 TO DOUGLAS M. GARNER, DOING BUSINESS AS "BIG VALLEY TRANSFER," P. O. BOX 55, NORWOOD, COLORADO, AND FOR AN ORDER AUTHORIZING THE MORTGAGING OF SAID CERTIFICATE BY DOUGLAS M. GARNER, DOING BUSINESS AS "BIG VALLEY TRANSFER," TO THE UNITED STATES BANK OF GRAND JUNCTION, GRAND JUNCTION, COLORADO.

APPLICATION NO.
24718-Transfer

IN THE MATTER OF THE APPLICATION OF THE UNITED STATES BANK OF GRAND JUNCTION, GRAND JUNCTION, COLORADO, AS SUCCESSOR IN INTEREST BY FORECLOSURE, FOR AUTHORITY TO TRANSFER ALL RIGHT, TITLE, AND INTEREST IN AND TO CONTRACT CARRIER PERMIT NO. B-6636 TO DOUGLAS M. GARNER, DOING BUSINESS AS "BIG VALLEY TRANSFER," P. O. BOX 55, NORWOOD, COLORADO, AND FOR AN ORDER AUTHORIZING THE MORTGAGING OF SAID CERTIFICATE BY DOUGLAS M. GARNER, DOING BUSINESS AS "BIG VALLEY TRANSFER," TO THE UNITED STATES BANK OF GRAND JUNCTION, GRAND JUNCTION, COLORADO.

APPLICATION NO.
24719-PP-Transfer

IN THE MATTER OF THE APPLICATION OF THE UNITED STATES BANK OF GRAND JUNCTION, GRAND JUNCTION, COLORADO, AS SUCCESSOR IN INTEREST BY FORECLOSURE, FOR AUTHORITY TO TRANSFER ALL RIGHT, TITLE, AND INTEREST IN AND TO CONTRACT CARRIER PERMIT NO. B-7014 TO DOUGLAS M. GARNER, DOING BUSINESS AS "BIG VALLEY TRANSFER," P. O. BOX 55, NORWOOD, COLORADO, AND FOR AN ORDER AUTHORIZING THE MORTGAGING OF SAID CERTIFICATE BY DOUGLAS M. GARNER, DOING BUSINESS AS "BIG VALLEY TRANSFER," TO THE UNITED STATES BANK OF GRAND JUNCTION, GRAND JUNCTION, COLORADO.

APPLICATION NO.
24720-PP-Transfer

ORDER OF THE COMMISSION

June 28, 1971

Appearances: John J. Conway, Esq., Denver, Colorado,
for Applicants;

J. A. Hughes, Esq., Montrose, Colorado,
for Applicants;

Warren L. Turner, Esq., Grand Junction,
Colorado, for The United States Bank
of Grand Junction.

It appearing, That by Order of the Commission dated December 23, 1970, notice of the filing of the above entitled applications was given to all interested persons, firms and corporations pursuant to CRS 1963, 115-6-8 (2);

It further appearing, That no protest, objection or petition to intervene or otherwise participate in the proceeding has been filed by any person within the time prescribed by the Commission in said Order, and that the herein proceeding is therefore noncontested and unopposed;

It further appearing, That pursuant to CRS 1963, 115-6-9 (5), the herein matter is one which may properly be determined without the necessity of a formal oral hearing and that the taking of evidence in this proceeding should be by reference to the verified applications as filed with the Commission together with such additional information or data as may have been required of Applicants in connection with said filings, and the files and records of the Commission.

It further appearing, That Douglas M. Garner, doing business as "Big Valley Transfer," herein seeks authority from this Commission to encumber Certificates of Public Convenience and Necessity PUC No. 943 and PUC No. 943-I, PUC No. 6812, and Contract Carrier Permit No. B-6636 and Permit No. B-7014 to secure payment of indebtedness to The United States Bank of Grand Junction, Grand Junction, Colorado;

And it further appearing, That the evidence thus submitted amply warrants approval of the transfers as hereinafter ordered;

Wherefore, and good cause appearing therefor:

We find, That the financial standing of the Transferee has been satisfactorily established; that the herein transfers are compatible with

the public interest; and that the encumbrance sought to be approved herein is in the public interest and will be approved by the Commission upon the filing of properly executed documents;

And we further find, That Transferee is fit, willing and able properly to engage in bona fide motor carrier operations under the authorities to be transferred and to conform to the applicable statutory requirements and the Commission's rules and regulations thereunder, and that an appropriate order should be entered; and

It is ordered, That The United States Bank of Grand Junction, Grand Junction, Colorado, as Successor in Interest by Foreclosure, be, and is hereby, authorized to transfer all right, title, and interest in and to Certificates of Public Convenience and Necessity PUC No. 943 and PUC No. 943-I, PUC No. 6812, and Contract Carrier Permit No. B-6636 and Permit No. B-7014 to Douglas M. Garner, doing business as "Big Valley Transfer," P.O. Box 55, Norwood, Colorado, subject to encumbrances, if any, against said authorities approved by this Commission.

It is further ordered, That henceforth the full and complete authority under Certificate of Public Convenience and Necessity PUC No. 943 and PUC No. 943-I shall read and be as follows, to wit:

"(1) Transportation -- on call and demand -- of

Ore, lumber, and farm products (including livestock)

Between all points lying within a fifty (50) mile radius of Norwood, Colorado, and to and from said points, from and to all points within the State of Colorado.

RESTRICTION: Item No. 1 of this Certificate is restricted against the rendering of transportation service in competition with any scheduled common carrier serving the above described area.

(2) Authority to use equipment in the State of Colorado as a Common Interstate Carrier 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."

It is further ordered, That henceforth the full and complete authority under Certificate of Public Convenience and Necessity PUC No. 6812 shall read and be as follows, to wit:

"Transportation -- on call and demand -- of

Road construction machinery and equipment, mining machinery and equipment, farm machinery and equipment, logging machinery and equipment, and ditching machinery and equipment

Between all points lying within a twenty-five (25) mile radius of Norwood, Colorado, and to and from said points, from and to all points within the State of Colorado.

RESTRICTION: This Certificate is restricted as follows:

- (a) Against the rendering of transportation in competition with scheduled common carriers serving above described area.
- (b) Against the transportation of mining machinery and equipment between points located within the eastern one half (1/2) of said twenty-five (25) mile radius on the one hand, and all points in Colorado on the other."

It is further ordered, That henceforth the full and complete authority under Contract Carrier Permit No. B-6636 shall read and be as follows, to wit:

"Transportation of

- (1) Sand, gravel and other road-surfacing materials used in the construction of roads and highways

From pits and supply points in the State of Colorado to road jobs, mixer and processing plants within a radius of seventy-five (75) miles of said pits and supply points;

- (2) 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 seventy-five (75) miles of said pits and supply points;

- (3) Sand, gravel, dirt, stone and refuse

From and to building construction jobs, to and from points within a radius of seventy-five (75) miles of said jobs;

- (4) Insulrock

From pits and supply points in the State of Colorado to roofing jobs within a radius of seventy-five (75) miles of said pits and supply points;

RESTRICTION: This Permit is restricted against the use of tank vehicles when transporting road-surfacing materials."

It is further ordered, That henceforth the full and complete authority under Contract Carrier Permit No. B-7014 shall read and be as follows, to wit:

"Transportation of

Gasoline and diesel fuels in bulk

From the Phillips Petroleum Company plant near Denver on the one hand, to Phillips Petroleum Company, Norwood, Colorado, or to customers of Phillips Petroleum Company located within a twenty-five (25) mile radius of Norwood, Colorado, on the other hand.

RESTRICTION: This Permit is restricted to serving only Phillips Petroleum Company."

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

It is further ordered, That the operating authorities as herein sought to be encumbered will be approved by the Commission only upon the filing of properly executed documents.


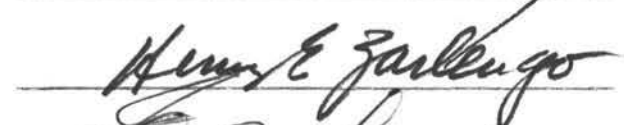
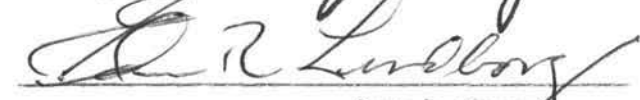
It is further ordered, That the tariff of rates, rules, and regulations of Transferor shall, upon proper adoption notice, become and remain those of Transferee until changed according to law and the rules and regulations of this Commission.

It is further ordered, That the right of Transferee, to operate under this Order shall be dependent upon 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 Certificates and Permits up to the time of transfer of said Certificates and Permits.

And it is further ordered, That this Order shall become effective twenty-one days from the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioner

Dated at Denver, Colorado,
this 28th day of June, 1971.
hbp

(Decision No. 78057)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
BILLY F. MOORE, 6530 BRENTWOOD)
STREET, ARVADA, COLORADO 80002.)

PUC NO. 4743

- - - - -
June 28, 1971
- - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission is in receipt of a communication from the above-styled certificate-holder requesting authority to do business under the trade name and style of Billy F. Moore, doing business as "Blue Spruce Disposal," in the conduct of operations under PUC No. 4743.

The Commission states and finds that said request is compatible with the public interest and should be granted as set forth in the Order following.

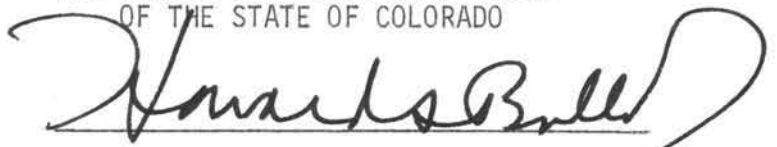

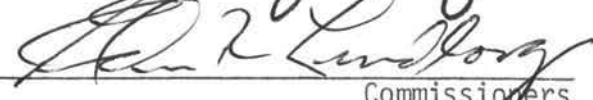
O R D E R

THE COMMISSION ORDERS THAT:

Billy F. Moore be, and hereby is, authorized to conduct operations under the trade name and style of Billy F. Moore, doing business as "Blue Spruce Disposal," in the conduct of operations under PUC No. 4743, and that the Secretary of the Commission be, and hereby is, directed to change the records of the Commission to reflect the same.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
28th day of June, 1971.

vjr

(Decision No. 78058)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
DALE SHANER)
MAXWELL)
NEBRASKA 69151)

PUC NO. 7522-I

June 28, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

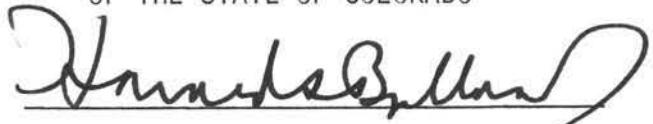


The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective June 4, 1971.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 28th day of June, 1971.
vjr

(Decision No. 78059)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
JERRY MANOAH HARRIS, DBA)
HARRIS TRUCKING)
108 MIRIAM DRIVE)
GRAND JUNCTION, COLORADO 81501)

PERMIT NO. B-7407
SUPPLEMENTAL ORDER

June 28, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, the Commission authorized the above-named carrier to suspend operations under the above-entitled authority.

The files and records of the Commission disclose that said carrier has failed to request in writing reinstatement of said authority as provided in the suspension Order, and that said carrier has been previously duly notified by the Commission of such failure.

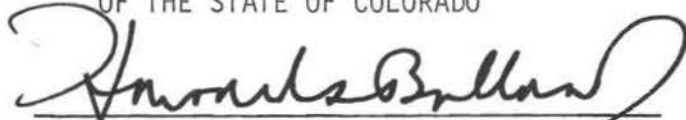
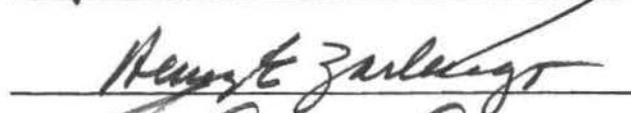
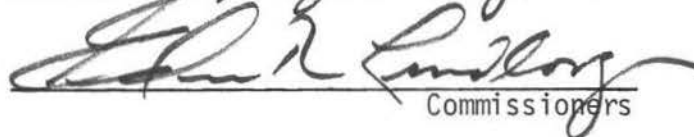
The Commission states and finds that said above-entitled authority should be cancelled and revoked as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled and revoked as of June 24, 1971.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado
this 28th day of June, 1971.
vjr

(Decision No. 78060)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
RAY HARRINGTON)
4157 Kalamath)
Denver, Colorado 80211)

PUC NO. 3342

June 28, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner of the above-entitled authority requesting that the same be suspended.

The Commission states and finds that to grant the herein request for suspension will be in the public interest and should be granted as set forth in the Order following.

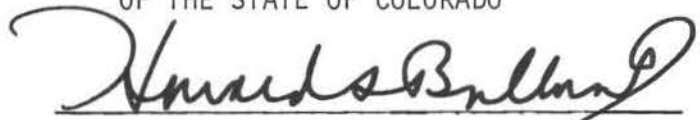
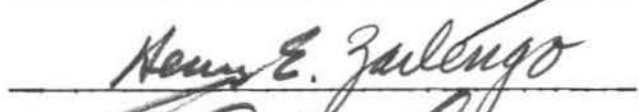
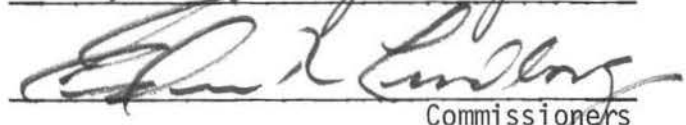
O R D E R

THE COMMISSION ORDERS:

That suspension of the motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized by the Commission from April 3, 1971, to and including October 3, 1971.

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made with the Commission, 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 28th day of June, 1971.
vjr

(Decision No. 78061)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
PRINCETON INDUSTRIES, INC.)
P. O. BOX 546)
SALIDA, COLORADO 81201)

PERMIT NO. B-7317

June 28, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner of the above-entitled authority requesting that the same be suspended.

The Commission states and finds that to grant the herein request for suspension will be in the public interest and should be granted as set forth in the Order following.

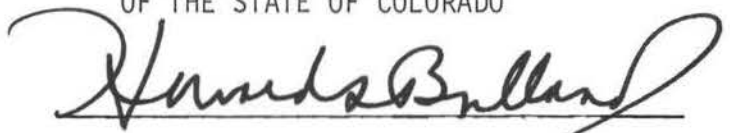
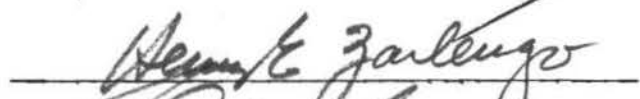
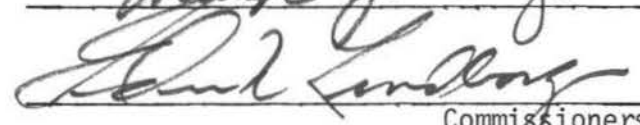
O R D E R

THE COMMISSION ORDERS:

That suspension of the motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized by the Commission from June 7, 1971, to and including December 7, 1971.

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made with the Commission, 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 28th day of June, 1971.
vjr

(Decision No. 78062)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
AJAX TRANSPORT, INC., 802 HOUSTON)	
FIRST SAVINGS BUILDING, HOUSTON,)	
TEXAS 77002, FOR AUTHORITY TO TRANSFER)	PUC NO. 7220-I - Transfer
INTERSTATE OPERATING RIGHTS TO J. J.)	
WILLIS TRUCKING COMPANY, MAURICE ROAD)	
AND COUNTY ROAD WEST, ODESSA, TEXAS)	
79760.)	

- - - - -
June 28, 1971
- - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, Ajax Transport, Inc., was granted a certificate of public convenience and necessity, being PUC No. 7220-I, authorizing operation as a common carrier by motor vehicle for hire:

"Authority to use equipment in the State of Colorado as a Common Interstate Carrier 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."

Said certificate holder now seeks authority to transfer said PUC No. 7220-I to J. J. Willis Trucking Company, a Texas corporation, Odessa, 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



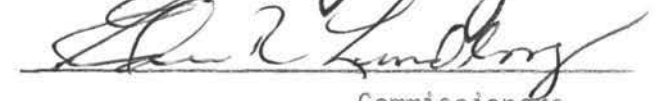
THE COMMISSION ORDERS THAT:

Ajax Transport, Inc., be, and hereby is, authorized to transfer all right, title, and interest in and to PUC No. 7220-I -- with authority as set forth in the Statement preceding, which is made a part hereof by

reference -- to J. J. Willis Trucking Company, a Texas Corporation,
Odessa, Texas, subject to encumbrances against said operating rights,
if any, 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 28th day of June, 1971.
hbp

(Decision No. 78063)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
W. D. SMITH, DOING BUSINESS AS)	
"W. D. SMITH TRUCK LINE," P. O. BOX	)	PUC NO. 4914-I - Transfer
68, DE QUEEN, ARKANSAS, FOR AUTHORITY)	
TO TRANSFER INTERSTATE CERTIFICATE	)	SUPPLEMENTAL ORDER
PUC NO. 4914-I TO W. D. SMITH TRUCK)	
LINE, INC., P. O. BOX 68, DE QUEEN,)	
ARKANSAS.)	

- - - - -
June 28, 1971
- - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On December 1, 1970, the Commission entered its Decision No. 76370 in the above-styled application, granting to Applicants herein the right to transfer Interstate Certificate PUC No. 4914-I from W. D. Smith, doing business as "W. D. Smith Truck Line," to W. D. Smith Truck Line, Inc.

Said Transferee has failed to comply with the requirements set forth in said Decision No. 76370, having failed to file a Certificate of Insurance covering Public Liability and Property Damage.

The Commission states and finds that inasmuch as Transferee has not fulfilled the requirements set forth in Decision No. 76370, the authority to transfer said certificate granted thereby should be revoked as set forth in the order following.

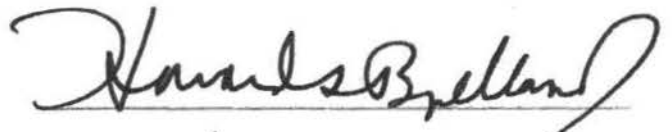

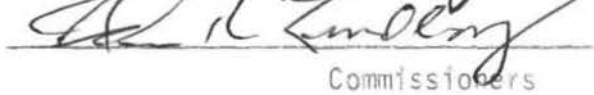
O R D E R

THE COMMISSION ORDERS:

That the authority granted to W. D. Smith, doing business as "W. D. Smith Truck Line," to transfer Interstate Certificate PUC No. 4914-I to W. D. Smith Truck Line, Inc., be, and the same hereby is, revoked for failure of Transferee to comply with the requirements set forth in said Decision No. 76370.

This Order shall become effective ten (10) days from the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 28th day of June, 1971.
hbp

(Decision No. 78064)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
JAMES E. KING, DBA)
E & J HAULING COMPANY)
27 UTICA STREET)
DENVER, COLORADO 80219)

PERMIT NO. B-2906

June 28, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner of the above-entitled authority requesting that the same be suspended.

The Commission states and finds that to grant the herein request for suspension will be in the public interest and should be granted as set forth in the Order following.

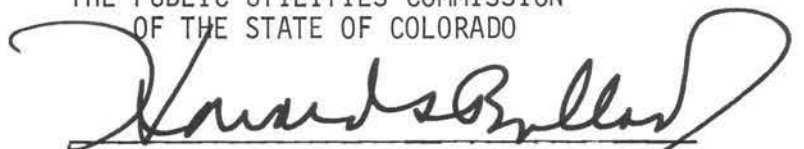
O R D E R

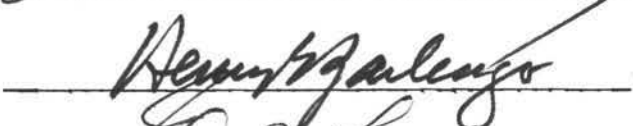
THE COMMISSION ORDERS:

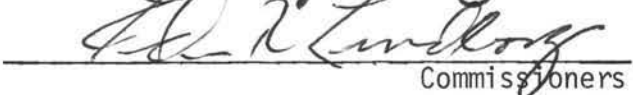
That suspension of the motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized by the Commission from _____ to and including _____

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made with the Commission, 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 28th day of June, 1971.

hj

(Decision No. 78065)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
EBEN L. MASSEY)
2780 Uranium Road)
Grand Junction, Colo. 81501)

PERMIT NO. B-5341

June 28, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner of the above-entitled authority requesting that the same be suspended.

The Commission states and finds that to grant the herein request for suspension will be in the public interest and should be granted as set forth in the Order following.

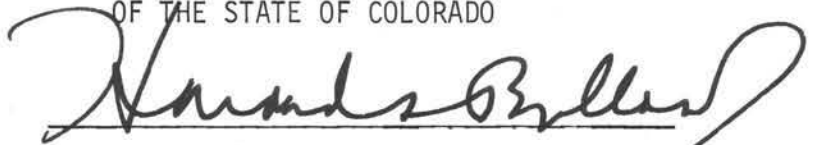

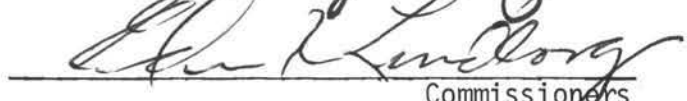
O R D E R

THE COMMISSION ORDERS:

That suspension of the motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized by the Commission from June 15, 1971 to and including December 15, 1971.

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made with the Commission, 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 28th day of June, 1971.

hj

(Decision No. 78066)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
IVAN E. MASSEY & EBEN L. MASSEY)
D/B/A MASSEY BROTHERS)
2780 Uranium Road)
Grand Junction, Colorado 81501)

PERMIT NO. B-5520

June 28, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner of the above-entitled authority requesting that the same be suspended.

The Commission states and finds that to grant the herein request for suspension will be in the public interest and should be granted as set forth in the Order following.

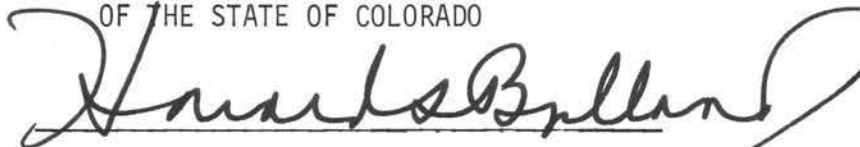

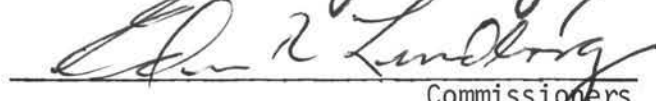
O R D E R

THE COMMISSION ORDERS:

That suspension of the motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized by the Commission from June 15, 1971 to and including December 15, 1971.

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made with the Commission, 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 28th day of June, 1971.

hj

(Decision No. 78067)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
FRANK J. GALLEGOS)
313 Davis Street)
Monte Vista, Colorado 81144)

PERMIT NO. B-5947

June 28, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner of the above-entitled authority requesting that the same be suspended.

The Commission states and finds that to grant the herein request for suspension will be in the public interest and should be granted as set forth in the Order following.

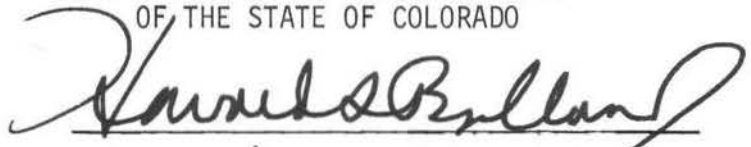
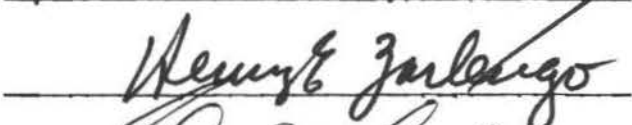
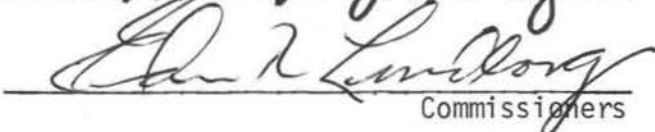
O R D E R

THE COMMISSION ORDERS:

That suspension of the motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized by the Commission from June 23, 1971 to and including December 23, 1971.

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made with the Commission, 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 28th day of June, 1971.

hj

(Decision No. 78068)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
RICHARD M. BERG D/B/A)
BERG HAY CO.) PERMIT NO. B-7122
STAR ROUTE - BOX 101 A)
HUDSON, COLORADO 80642)

June 28, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner of the above-entitled authority requesting that the same be suspended.

The Commission states and finds that to grant the herein request for suspension will be in the public interest and should be granted as set forth in the Order following.

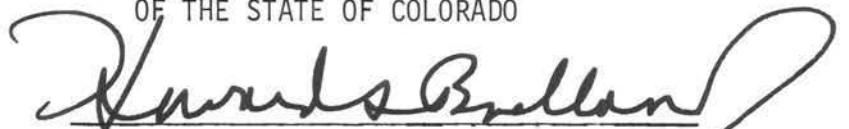
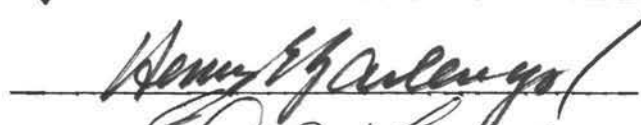
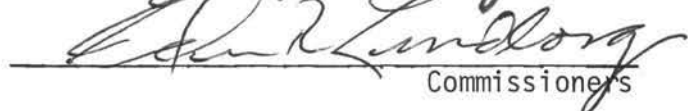
O R D E R

THE COMMISSION ORDERS:

That suspension of the motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized by the Commission from May 22, 1971 to and including November 22, 1971.

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made with the Commission, 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 28th day of June, 1971.
hj

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: ELIMINATION OF MOUNTAIN TERRITORIAL
RATES APPLICABLE TO BOXES, FIBREBOARD
OR PULPBOARD FROM SITE OF THE BOISE
CASCADE CONTAINER CORPORATION PLANT
NEAR GOLDEN, COLORADO, AND FROM DENVER,
COLORADO TO POINTS IN THE STATE OF
COLORADO

CASE NO. 1585

July 6, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On June 9, 1971, J. R. Smith, Chief of Tariff Bureau, Colorado Motor Carriers' Association, Agent, filed 2nd Revised Page No. 254, to its Local and Joint Class and Commodity Rates, Tariff No. 12-B, Colorado PUC No. 19, scheduled to become effective July 16, 1971. Said schedule is as appearing in the attached Appendix "A".

Mr. Wally Fletchinger, General Traffic Manager, Rio Grande Motor Way, Inc., states in his letter of May 12, 1971, forwarded to the Commission by Mr. J. R. Smith, the reasons for the elimination of the mountain scale of distance rates heretofore effective.

By Decision No. 76125, dated October 20, 1970, the plains scale of rates was increased five (5) percent higher than the mountain scale.

Historically, the mountain rates have been consistently higher than the plains rates. The dividing line between the territories lies along the east front range of the Colorado Rocky Mountains, running from the Colorado-Wyoming State Line on the north, to the Colorado-New Mexico line on the South.

As presently constituted in this item, the charges resulting from transportation services applicable to points in the mountain regions

are below the level for the plains area and proponent states herein that there is no sound basis for this situation. The elimination of the mountain scale will dispose of this discrepancy.

Pursuant to the provisions of Chapter 115-11-5, Colorado Revised Statutes (1963) as amended, and Rule 19-B, Rules of Practice and Procedure before the Commission, the Commission finds that the changes set forth in Appendix "A" attached hereto should be allowed to become effective.

O R D E R

THE COMMISSION ORDERS:

1. That the Statement and Findings of Fact, and Appendix "A" attached hereto, be, and they are hereby, made a part hereof.

2. That the rates, rules and provisions as amended, and set forth in the Appendix of this Order, shall be the prescribed rates, rules and regulations of the Commission.

3. That 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. That all contract 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. That on and after July 16, 1971, 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 all call and demand motor vehicle common carriers shall be subject to the penalty rule of twenty (20) percent.

6. That on and after July 16, 1971, all contract 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" contract carriers shall be subject to the penalty rule of twenty (20) percent.

7. That this Order shall not be construed so as to compel a contract carrier by motor vehicle to be or become a motor vehicle common carrier, or to subject any such contract carrier by motor vehicle to the laws and liabilities applicable to a motor vehicle common carrier.

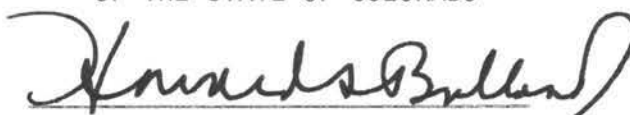
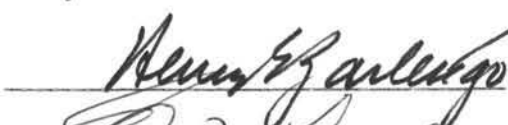
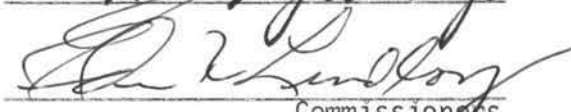
8. That the Order as entered in Case No. 1585 on February 5, 1936, as since amended, shall continue in force and effect until further Order of the Commission.

9. That this Order shall not be construed so as to compel a contract carrier by motor vehicle to be or become a motor vehicle common carrier, or to subject any such contract carrier by motor vehicle to the laws and liabilities applicable to a motor vehicle common carrier.

10. That this Order shall become effective forthwith.

11. That jurisdiction is retained to make such further Orders as may be necessary and proper.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
6th day of July, 1971. av

APPENDIX "A"

COLORADO MOTOR CARRIERS' ASSOCIATION, AGENT
LOCAL AND JOINT CLASS AND COMMODITY RATES
TARIFF No. 12-B, COLORADO PUC No. 19

SCHEDULED TO BECOME EFFECTIVE JULY 16, 1971

SCHEDULED TO BECOME EFFECTIVE JULY 10, 1977

SECTION 4

COMMODITY RATES IN CENTS PER 100 POUNDS (EXCEPT AS NOTED)

FOR APPLICATION, SEE PAGE 245

ITEM	COMMODITY	FROM	TO	RATES	ROUTE
2ND REVISED PAGE 254					
1340 + ♦	BOXES, FIBREBOARD OR PULPBOARD, CORRUGATED OR NOT CORRUGATED, KNOCKED DOWN FLAT. SUBJECT TO NOTES 1, 2, 3, 4, 5 AND 6 BELOW	THE SITE OF BOISE CASCADE CONTAINER CORP. PLANT NEAR GOLDEN DENVER	POINTS IN THE STATE OF COLORADO.	SEE BELOW	--

DISTANCE--MILES		RATES MIN. WT.--POUNDS		DISTANCE--MILES		RATES MIN. WT.--POUNDS	
		10,000	24,000			10,000	24,000
110 OR LESS		76	50	260 AND OVER 250		145	106
120 AND OVER 110		76	54	270 AND OVER 260		149	108
130 AND OVER 120		80	58	280 AND OVER 270		154	112
140 AND OVER 130		85	62	290 AND OVER 280		158	115
150 AND OVER 140		91	67	300 AND OVER 290		163	119
160 AND OVER 150		96	71	310 AND OVER 300		168	122
170 AND OVER 160		101	74	320 AND OVER 310		173	126
180 AND OVER 170		106	77	330 AND OVER 320		178	130
190 AND OVER 180		113	82	340 AND OVER 330		182	133
200 AND OVER 190		118	85	350 AND OVER 340		188	137
210 AND OVER 200		122	89	360 AND OVER 350		193	140
220 AND OVER 210		127	92	370 AND OVER 360		198	145
230 AND OVER 220		131	95	380 AND OVER 370		204	149
240 AND OVER 230		136	98	390 AND OVER 380		209	152
250 AND OVER 240		139	101	400 AND OVER 390		211	155

NOTE 1: RATES APPLY ON PALLETIZED SHIPMENTS ONLY. NON-PALLETIZED SHIPMENTS WILL BE CHARGED FOR AT 140% OF THE ABOVE RATES.

NOTE 2: ALL MILEAGES WILL BE DETERMINED FROM DENVER, AS SHOWN IN SECTION I OF THIS TARIFF.

NOTE 3: WHENEVER SHIPPER REQUESTS EXPEDITED SERVICE OR EXCLUSIVE USE OF THE VEHICLE, RATES WILL BE CHARGED ON THE BASIS OF NOT LESS THAN 24,000 POUNDS.

NOTE 4: RATES ARE SUBJECT TO ITEM 275 (DETENTION).

NOTE 5: SHIPMENTS SUBJECT TO A MINIMUM WEIGHT OF 24,000 POUNDS MUST BE LOADED IN OR ON ONE VEHICLE OF NOT LESS THAN 1800 CUBIC FEET CAPACITY. THE CHARGE FOR SUCH VEHICLE WILL BE THE RATE APPLICABLE AT ITS MINIMUM WEIGHT, OR ACTUAL WEIGHT IF GREATER. IN THE EVENT THE SHIPPER TENDERS MORE FREIGHT THAN CAN BE LOADED IN OR ON ONE VEHICLE, THAT PORTION OF THE FREIGHT WHICH CANNOT BE LOADED IN OR ON ONE VEHICLE WILL BE CHARGED FOR AS A SEPARATE SHIPMENT.

NOTE 6: RATES PROVIDED IN THIS ITEM WILL NOT APPLY ON SHIPMENTS ORIGINATING AT DENVER, WHEN TRANSPORTATION SERVICE IS PERFORMED BY FREDERIC A. BETHKE, D/B/A BETHKE TRUCK LINES.

SUBJECT TO LOADING BY CONSIGNOR AND UNLOADING BY CONSIGNEE.

(SUBJECT TO ITEM 240)

+ DENOTES - APPLIES ON INTRASTATE TRAFFIC ONLY.

♦ DENOTES INCREASES.

Decision No. 78069, Case 1585, July 6, 1971.

(Decision No. 78070)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF

JEFF H. LITTLE DBA
J. H. LITTLE TRUCKING
3404 N. W. 19TH
OKLAHOMA CITY, OKLAHOMA 73107

AUTHORITY NO. 8013-I

CASE NO. 2989-H-Ins.

June 29, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On June 28, 1971 , in the above-entitled Case, the Commission entered its Order revoking the above authority for failure to maintain effective insurance on file with the Commission.

The records of the Commission now disclose that proper insurance filing has been made.

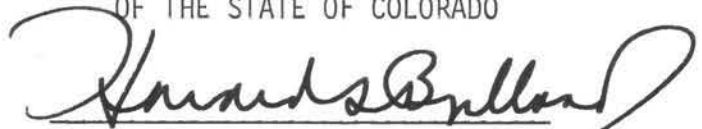
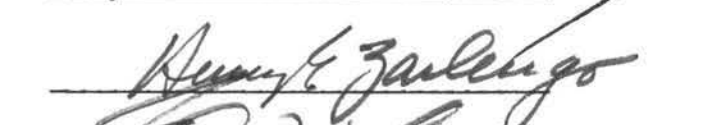

The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

O R D E R

THE COMMISSION ORDERS:

That the herein 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 29th day of June, 1971

(Decision No. 78071)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
KENNY S. TODD, MOUNTAIN AIR TRAILER)	APPLICATION NO. 24849
COURT, 515 EAST 3RD STREET, LEADVILLE,)	
COLORADO, FOR A CERTIFICATE OF PUBLIC)	RECOMMENDED DECISION OF
CONVENIENCE AND NECESSITY TO OPERATE)	CHRISTIAN O. IGENBERGS,
AS A COMMON CARRIER BY MOTOR VEHICLE)	EXAMINER
FOR HIRE.)	
	GRANTING APPLICATION

- - - - -
June 30, 1971
- - - - -

Appearances: Joseph A. Fattor, Esq.,
Leadville, Colorado,
for Applicant.
John R. Barry, Esq.,
Denver, Colorado, for
Denver-Colorado Springs-Pueblo Motorway, Inc.;
Denver-Salt Lake-Pacific Stages, Inc.;
American Bus Lines, Inc.;
Continental Bus System, Inc.
(Rocky Mountain Lines Division);
Continental Bus System, Inc.; and
Continental Central Lines, Inc.,
Protestants.
Warren D. Braucher, Esq.,
Denver, Colorado, for
Fularc Company, Protestant.

PROCEDURE AND RECORD

Under date of March 12, 1971, Applicant filed the above-entitled application with this Commission requesting the issuance of a certificate of public convenience and necessity to conduct operations as a common carrier by motor vehicle for hire for the transportation service as specifically set forth in said application.

The Commission assigned Docket No. 24849 to the application and gave due and proper notice of the filing of the application in accordance with the provisions of 115-6-8(2), CRS 1963, as amended.

On March 29, 1971, Denver-Colorado Springs-Pueblo Motorway, Inc.; Denver-Salt Lake-Pacific Stages, Inc.; American Bus Lines, Inc.; Continental

Bus System, Inc. (Rocky Mountain Lines Division); Continental Bus System, Inc.; and Continental Central Lines, Inc., filed a Motion to Intervene in the subject proceeding and said Motion was thereafter granted by the Commission on April 1, 1971, by Decision No. 77296. On April 5, 1971, Fularc Company filed a Protest to the granting of the application.

Pursuant to law, the Commission assigned Christian O. Igenbergs, Examiner, and, after due and proper notice to all interested persons, firms, or corporations, set the herein matter for a hearing to be held in the Court Room of the District Court, Courthouse, Leadville, Colorado, on Thursday, May 20, 1971, at 10 a.m. The hearing was held at the said time and place.

As a preliminary matter, Applicant moved to amend the application as follows, to-wit: (1) By striking from the application any reference to the County of Summit, State of Colorado, and (2) by restricting the application against service to be rendered by Applicant to and from the Lake County Airport in the County of Lake, State of Colorado, and showed, as grounds therefor, that reference to the County of Summit, State of Colorado, had been made in the application due to a clerical error and that Applicant had no desire to render service within said county. As further grounds for amending the application, Applicant stated that it had no intention to provide any service to and from the Lake County Airport in the County of Lake, State of Colorado. The amendments, being restrictive in nature and for good cause shown, were granted by the Examiner; whereupon all Intervenors and the Protestant requested leave to withdraw from the proceedings except for the receipt of the Recommended Decision of the Examiner. The Intervenors and the Protestant were granted leave to withdraw from the proceedings.

Exhibit No. 1 was tendered and admitted into evidence.

Counsel for Applicant requested and was granted leave to file with the Commission within ten days from the date of hearing a financial statement of Applicant and an equipment list as late-filed exhibits. The foregoing documents were duly filed with the Commission on June 1, 1971.

At the conclusion of the hearing, the subject matter was taken under advisement.

Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes (1963), as amended, Examiner Christian O. Igenbergs now transmits herewith to the Commission the record and exhibits of this proceeding, together with a written recommended decision which contains his findings of fact and conclusions thereon, together with the recommended order or requirement.

FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact that:

1. Applicant is an individual.
2. Applicant in this matter proposes to operate a public utility as defined in Chapter 115, CRS 1963, as amended.
3. By this application, Applicant seeks a certificate of public convenience and necessity authorizing operations as a common carrier by motor vehicle for hire for the transportation in taxicab and bus service of passengers and their baggage between all points within Leadville, Colorado, and that portion of a fifteen (15) mile radius thereof lying east of the Continental Divide, and to and from said points from and to all points within the County of Chaffee, State of Colorado; restricted, however, against service to be rendered by Applicant to and from the Lake County Airport in the County of Lake, State of Colorado.
4. This Commission has jurisdiction over the Applicant and the subject matter of this proceeding.

5. At the present time, there is no existing taxicab service in the City of Leadville, Colorado, or its environs except for the service being rendered to and from the Lake County Airport. The City of Leadville has a present population of approximately 4,800 residents. Continental Trailways picks up and discharges passengers at the bus depot in the City of Leadville twice daily. Passengers embarking or disembarking from the Continental Trailways buses do need taxicab service prior or subsequent to the journey by bus, which said service at the present is provided in some instances by the Trailways agent, the Sheriff's office, or the office of the Police Department of the City of Leadville. Furthermore, the Police Department and the Sheriff's office provide courtesy rides in police cars in emergencies or to elderly residents due to lack of public transportation. This present arrangement interferes with the work of the Trailways agent, the Sheriff's office, and the Police Department. Moreover, such gratuitous services are not always available to serve the needs of the populace in Leadville or its environs.

6. North of Leadville on Colorado Highway No. 91 at a distance of approximately 12 miles, there is located the Climax Molybdenum Company, which, at the present, employs, in addition to executive and office personnel, 1,600 employees of the Miners' Union. Approximately one-half of the work force of said company live in Leadville, Colorado, or its environs. Presently, there is no taxicab or bus service available for the employees of said company going to or from work. The company operates on a 24-hour (3 shift) basis and transportation to and from Leadville to the mine at Climax, Colorado, is urgently needed. The lack of public transportation has given rise to unauthorized or bootleg transportation from and to Leadville to and from the mine at Climax, Colorado. Until approximately three years ago, a common carrier did provide bus service from Leadville to Climax and return, at which time the service was heavily

patronized by the employees of the Climax Molybdenum Company. Said operations, due to poor management and faulty equipment, have been terminated, leaving the employees at a disadvantage. The lack of public transportation between Leadville and Climax, Colorado, causes absenteeism and inconvenience, both to the employees and the management of the mine. Both management of the Climax mine and the Union representing the miners are unanimous in their strong support of the subject application.

7. The main department and grocery store serving the entire area is located outside the city limits of Leadville. Elderly or infirm residents of the City of Leadville who do not own any means of transportation cannot walk to the store which supplies their needs and are forced to rely on police cars, friends, or just plain hitchhiking in order to move to and from said store.

8. The application is not protested by any other common carrier by motor vehicle for hire.

9. Applicant proposes to render taxicab services within the scope of this application on a 24-hour daily basis with an office and headquarters at the Vendome Hotel in the heart of the City of Leadville and to dedicate to this service two 1971 Chevrolet 4-door sedans equipped with a two-way communication radio. The taxicabs will be under lease to Applicant (Applicant's late-filed exhibit, third sheet, purporting to be the equipment list of Applicant). This equipment is appropriate and suitable to be used in taxicab service in the subject area.

10. Likewise, Applicant proposes to render bus service between Leadville and the Climax Molybdenum mine located near Climax, Colorado, on a 24-hour daily basis and to dedicate to this service one 40-passenger bus under lease to Applicant (Applicant's late-filed exhibit, third sheet, purporting to be the equipment list of Applicant). This equipment is appropriate and suitable to be used in bus service.

11. Applicant has established that he has sufficient net worth, approximately \$25,962, which said sum is ample for the operation of the

authority applied for herein (Applicant's late-filed exhibit, first sheet, purporting to be a balance sheet of Applicant).

12. Applicant has resided within the City of Leadville, Colorado, for a substantial number of years and is quite familiar with the streets and highways in Leadville, Colorado, and the surrounding area including Climax, Colorado; has driven cars and trucks in the said area; and holds a chauffeur's license. Furthermore, Applicant has arranged for two more residents of the City of Leadville, one Ozzie Marsella and one Harold Trevethan, who likewise hold chauffeurs' licenses and are familiar with the streets and highways of Leadville and Climax, Colorado, to assist him in the proposed operation as employees and drivers.

13. Applicant generally is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, promises to acquaint both himself and his employees in detail with said rules and regulations and, further, promises to abide by same, as well as the safety requirements of the Commission. Applicant has or will make adequate provision for insurance.

14. There is a present and special need for the service as proposed by Applicant.

15. The present or future public convenience and necessity requires or will require the granting of the application as hereinafter set forth.

16. The granting of the authority as hereinafter set forth will be in the public interest.

CONCLUSIONS ON FINDINGS OF FACT

Based on the aforesaid findings of fact, it is concluded that:

1. The authority sought by Applicant should be granted as hereinafter set forth.

2. Pursuant to 115-6-9(2), CRS 1963, as amended, it is recommended by the Examiner that the Commission enter the following

O R D E R

THE COMMISSION ORDERS:

1. That Kenny S. Todd, Mountain Air Trailer Court, 515 East 3rd Street, Leadville, Colorado, be, and hereby is, authorized to operate as a common carrier by motor vehicle for hire for the following, to-wit:

- (1) Transportation -- in taxicab service -- of
Passengers and their baggage

Between all points located within that portion of a fifteen (15) mile radius of Leadville, Colorado, lying east of the Continental Divide, and to and from said points, from and to points located within the County of Chaffee, State of Colorado.

RESTRICTION:

Item (1) of this Certificate is restricted against rendering service to or from Lake County Airport located near Leadville, Colorado

- (2) Transportation -- on schedule in bus service -- of
Passengers and their baggage

Between Leadville, Colorado, and the Climax Molybdenum Company mine located near Climax, Colorado;

and this Order shall be deemed to be, and be, a CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY therefor.

2. That Applicant shall file tariffs of rates, rules, and regulations as required by the rules and regulations of this Commission within twenty (20) days from date.

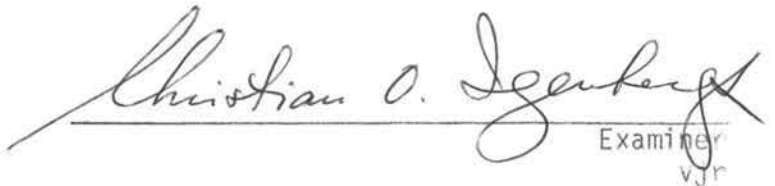
3. That Applicant shall operate his carrier system in accordance with the Order of the Commission, except when prevented by an Act of God, the public enemy, or extreme conditions.

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

5. That this Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinabove set out.

6. That as provided by 115-6-9(2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period of time as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed within such time by the Commission upon its own motion, such Recommended Decision shall become the Decision of the Commission and subject to the provisions of 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Examiner
vjr

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
CHESTER BAY, DOING BUSINESS AS)	APPLICATION NO. 24685-Extension
"CHESTER BAY TRUCKING," ROUTE 3,)	
512 MAIN, LA JUNTA, COLORADO, FOR A)	RECOMMENDED DECISION OF
CERTIFICATE OF PUBLIC CONVENIENCE)	HARRY A. GALLIGAN, JR.
AND NECESSITY AUTHORIZING EXTENSION)	EXAMINER
OF OPERATIONS UNDER PUC NO. 641 AND)	
PUC NO. 641-I.)	GRANTING APPLICATION

- - - - -
June 29, 1971
- - - - -

Appearances: John J. Conway, Esq., Denver,
Colorado, for Applicant;
Arthur R. Hauver, Esq., Denver,
Colorado, for T & W Truck Line,
Don Camper, Inc., and Heath &
Son and Turpin Trucking, Inc.,
Protestants;
Edward C. Hastings, Esq., Denver,
Colorado, for Ralph Loyd and
T. L. Tucker, Protestants.

PROCEDURE AND RECORD

Under date of December 4, 1970, Applicant filed the above-entitled application with this Commission requesting extension of his existing authority, which authority is PUC No. 641 and PUC No. 641-I, for the purpose of expanding his operations as a common carrier by motor vehicle for hire for the transportation service as specifically set forth in said application.

The Commission assigned Docket No. 24685-Extension to the application and gave due notice of the filing of the application in accordance with the provisions of 115-6-8 (2), CRS 1963, as amended.

On December 17, 1970, Heath & Son and Turpin Trucking, Inc. filed its protest to the granting of the aforesaid application. On January 4, 1971, Robert L. Harris, doing business as "Las Animas Transfer Company," filed a protest to the within application. On January 4, 1971, T & W Truck Line and Don Camper, Inc. filed their protests to the within application. On January 5, 1971, T. L. Tucker and Ralph Loyd filed their protests to the within application.

On January 7, 1971, Applicant filed a motion to strike the protest of Robert L. Harris, doing business as "Las Animas Transfer Company." On January 13, 1971, the Commission entered Decision No. 76645, which decision granted Applicant's motion to strike the protest of Robert L. Harris, doing business as "Las Animas Transfer Company." In its decision the Commission stated that Robert L. Harris, doing business as "Las Animas Transfer Company," was granted permission to file an amended protest in conformance with the Commission's Rules of Practice and Procedure within twenty days of the effective date of its Order, which date was January 13, 1971. On January 29, 1971, Robert L. Harris, doing business as "Las Animas Transfer Company," by his attorney, Oakley Wade, filed a protest to the within application, which protest was timely filed pursuant to the aforesaid decision of the Commission. Neither Robert L. Harris nor his attorney, Oakley Wade, entered an appearance at the hearing in the within matter.

Pursuant to law, the Commission designated Harry A. Galligan, Jr., as Examiner for the purpose of conducting a hearing on this application and, after due and proper notice to all interested persons, firms, or corporations, set the herein matter for hearing to be held in the District Court Room, Court House, La Junta, Colorado, on Tuesday, June 15, 1971, at 10:00 A.M., at which time and place hearing was held on the within matter.

Exhibits 1 through 7, inclusive, were tendered and admitted into evidence.

During the course of the hearing a Stipulation was entered into between Applicant and Protestants, which Stipulation was granted.

At the conclusion of the hearing, the subject matter was taken under advisement.

Pursuant to the provisions of Chapter 115, Article 6, CRS 1963, as amended, Examiner Harry A. Galligan, Jr., now transmits herewith to the Commission the record and exhibits of this proceeding together with a written recommended decision which contains his findings of fact and conclusions thereon together with a recommended order or requirement.

FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact that:

1. Applicant Chester Bay is an individual doing business as Chester Bay Trucking and is a resident of La Junta, Colorado.

2. Applicant now holds authority under PUC No. 641 and PUC No. 641-I, which authority provides as follows:

"Transportation -- on call and demand -- of

(1) General Commodities

Between all points within a fifty (50) mile radius of Thatcher, Colorado.

(2) Farm Products (including livestock)

Between all points within a fifty (50) mile radius of Thatcher, Colorado, on the one hand, and all points within the State of Colorado, on the other hand.

INTERSTATE AUTHORITY:

Authority to use equipment in the State of Colorado as a Common Interstate Carrier 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."

3. By this application, Applicant originally sought to extend his authority under PUC No. 641 and PUC No. 641-I to include the transportation of livestock and farm products from all points within Otero, Bent, Crowley, Prowers, Kiowa, Baca and Las Animas Counties, to all points in the State of Colorado, and from all points in the State of Colorado to all points within the Counties of Otero, Bent, Crowley, Prowers, Kiowa, Baca and Las Animas.

By stipulation, Applicant reduced the area sought in the within application to the transportation of livestock and farm products from all points in Bent, Crowley, Otero and Las Animas Counties, Colorado, to all points in the State of Colorado, and from all points in the State of Colorado to all points within the Counties of Bent, Crowley, Otero and Las Animas, Colorado.

4. Applicant withdrew from its application the transportation of milk in bulk. Testimony adduced at the hearing was that Applicant has not, and does not, haul milk in bulk.

5. Applicant holds Permit No. B-5048 and B-5048-I as a Contract Carrier for the hauling of farm products between points within a 50-mile radius of La Junta, Colorado, and from such points to points in the State of Colorado.

6. The Commission has jurisdiction over the Applicant and the Protestans and the subject matter of this proceeding.

7. Applicant either owns or leases eight tractors and eight trailers for the purpose of operating under his authority to transport livestock and farm products. The equipment presently owned by Applicant is sufficient to handle the additional transportation of livestock and farm products under the authority sought in this application. Applicant is financially able to purchase or lease additional equipment if necessary.

8. Applicant has sufficient experience for conducting the proposed operations based on his past experience under PUC No. 641 and PUC No. 641-I.

9. Applicant has a net worth of approximately \$100,000.00, which sum is sufficient to finance the proposed operations.

10. Applicant has read and is sufficiently familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, promises to abide by said rules and regulations, as well as the safety requirements of the Commission.

11. Applicant has made adequate provision for the necessary insurance coverage for such operation.

12. Through the testimony of several shippers Applicant has established that there is a need for his proposed services in the extended area of Bent, Crowley, Otero and Las Animas Counties. Testimony adduced prior to the aforesaid stipulation concerning the elimination of Baca, Kiowa and Prowers Counties was that there is no need for the services initially proposed in those counties.

13. The present or future public convenience and necessity requires or will require the granting of the authority as hereinafter set forth.

14. The granting of the authority as hereinafter set forth will be in the public interest.

CONCLUSIONS ON FINDINGS OF FACT

Based on the aforesaid findings of fact, it is concluded that:

1. The extension of authority sought by Applicant should be granted as hereinafter set forth.

2. Pursuant to 115-6-9 (2), CRS 1963, as amended, it is recommended by the Examiner that the Commission enter the following

O R D E R

THE COMMISSION ORDERS:

That Chester Bay, doing business as "Chester Bay Trucking," 512 Main, La Junta, Colorado, be, and hereby is, authorized to extend operations under Certificate of Public Convenience and Necessity PUC No. 641 and PUC No. 641-I as follows:

"Transportation of livestock and farm products between points located within Bent, Crowley, Otero, and Las Animas Counties, Colorado, on the one hand, and all points within the State of Colorado on the other hand. Restricted against the transportation of milk in bulk, and to an office for the solicitation of business at La Junta, Colorado, only."

That henceforth the full and complete authority under Certificate of Public Convenience and Necessity PUC No. 641 and PUC No. 641-I shall read and be as follows, to wit:

"Transportation -- on call and demand -- of

(1) General commodities

Between all points within a fifty (50) mile radius of Thatcher, Colorado.

(2) Farm products (including livestock)

Between points within a fifty (50) mile radius of Thatcher, Colorado, on the one hand, and all points within the State of Colorado, on the other hand.

(3) Farm products (including livestock)

Between points located within Bent, Crowley, Otero, and Las Animas Counties, Colorado, on the one hand, and all points within the State of Colorado on the other hand.

RESTRICTION: Item No. 3 of this Certificate is restricted as follows:

- (a) Against the transportation of milk in bulk.
- (b) To an office for the solicitation of business at La Junta, Colorado, only.
- (4) Authority to use equipment in the State of Colorado as a Common Interstate Carrier between all points in the State of Colorado and the Colorado state boundary lines where all highways cross the same in interstate commerce, only, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended."

That Applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty (20) days from date.

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

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

That this Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinabove set out.

That as provided by 115-6-9 (2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period of time as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed within such time by the Commission upon its own motion, such Recommended Decision shall become the Decision of the Commission and subject to the provisions of 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Examiner
hbp

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
K. L. BREEDEN & SONS, INC., 401)
ALAMO STREET, TERRELL, TEXAS, FOR)
A CLASS "B" PERMIT TO OPERATE AS A)
CONTRACT CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 24769-PP

RECOMMENDED DECISION OF
CHRISTIAN O. IGENBERGS,
EXAMINER

DENYING APPLICATION

June 30, 1971

Appearances: Truman A. Stockton, Jr.,
Esq., Denver, Colorado, and
Barnard English, Esq.,
Fort Worth, Texas, for
Applicant.
David E. Driggers, Esq.,
Denver, Colorado, for
Northwest Transport Service,
Inc., and Bowers Transfer
& Storage Company, Protestants.

PROCEDURE AND RECORD

Under date of January 26, 1971, Applicant filed the above-entitled application with this Commission for authority to operate as a Class "B" contract carrier by motor vehicle for hire for the transportation service as specifically set forth in said application.

The Commission assigned Docket No. 24769-PP to the application and gave due notice of the filing of the application in accordance with the provisions of 115-6-8 (2), CRS 1963, as amended.

The following carriers filed protests: On February 8, 1971, B. F. Walker, Inc. and Northwest Transport Service, Inc.; and on February 16, 1971, Bowers Transfer & Storage Company. On March 30, 1971, B. F. Walker, Inc., withdrew its protest.

Pursuant to law, the Commission assigned the application to Christian O. Igenbergs, Examiner, and, after due and proper notice to all interested persons, firms or corporations, set the herein matter for a hearing to be held in the Hearing Room of the Commission, Columbine Building, 1845 Sherman Street, Denver, Colorado, on Wednesday, May 19, 1971, at 10 a.m. On May 13, 1971, the Commission vacated the hearing date and reset the herein matter for hearing on Monday, June 21, 1971, at 10 a.m., at the same place. The hearing was held at the said time and place.

Exhibits numbered 1 through 6, inclusive, were tendered and admitted into evidence.

At the conclusion of the hearing, the subject matter was taken under advisement.

Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes (1963), as amended, Examiner Christian O. Igenbergs now transmits herewith to the Commission the record and exhibits of this proceeding together with a written recommended decision which contains his findings of fact and conclusions thereon, together with the recommended order or requirement.

FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact that:

1. Applicant is a Texas corporation duly organized and existing under the laws of the State of Texas. Applicant, at the present, does not hold a Certificate of Authority to do business as a corporation in the State of Colorado but intends to obtain such authority in the event this application is granted.

2. Applicant in this matter proposes to operate as a contract carrier by motor vehicle for hire and is requesting the issuance of a Class "B" permit to transport iron and steel articles from Fort Collins, Colorado, to all points in Colorado under a continuing contract with the Lone Star Steel Company, Fort Collins, Colorado. Applicant does not hold previously granted authority from this Commission.

3. Protestants are common carriers by motor vehicle for hire and they hold authority granted by this Commission to perform the transportation services proposed by Applicant, not as contract carriers but as common carriers. Protestant Northwest Transport Service, Inc., holds Certificate of Public Convenience and Necessity PUC No. 3171 and Protestant Bowers Transfer & Storage Company holds Certificate of Public Convenience and Necessity PUC No. 3590.

4. This Commission has jurisdiction over Applicant, Protestant, and the subject matter of this proceeding.

5. The Lone Star Steel Company operates blast furnaces and steel mills, both in Lone Star, Texas, and in Fort Collins, Colorado. Said company is owned and controlled by Northwest Industries which said company, through a subsidiary, the Lesco Transportation Company, also owns 49 percent of the stock of the Applicant, K. L. Breeden & Sons, Inc. The Lone Star Steel mill in Fort Collins, Colorado, manufactures structural steel, mainly transmission and conduit pipe and other steel articles. The production of steel at the Fort Collins mill, mostly pipe, was 26,000 tons in the year 1970. Production has increased and in the calendar year 1971 the total production will be approximately 50,000 tons. The work force, which consisted of 45 employees in 1970, has increased to 72 in 1971. The Lone Star Steel Company has used the transportation services of Applicant

corporation in Texas, has found said services reliable, and for this reason, desires to employ Applicant as a contract carrier for its transportation needs in Colorado. At the present time, no contract has yet been negotiated between the Lone Star Steel Company and the Applicant corporation.

6. The Lone Star Steel Company sells some of its products for use in Fort Collins, Colorado, and the vicinity, but it also ships to other points in Colorado, such as Commerce City, Greeley, Colorado Springs, Denver, Pueblo, and Uravan. The great bulk of the products shipped to points in Colorado consists of steel pipe, both round and quadrangular. The steel pipe is precut at the mill to lengths specified by the consignee and some of it is up to 60 feet in length. Accordingly, such pipe has to be transported on suitable flatbed or pole trailers or stretch trucks or trailers.

7. Applicant owns or leases approximately 42 trucks and trailers, most of which are flatbeds and pole trailers suitable for the transportation of the products manufactured by the Lone Star Steel Company at Fort Collins, Colorado, (Appendix 2 to Exhibit 1). None of this equipment is presently stationed in Colorado, but Applicant would station some of said equipment in this State in the event this application is granted.

8. Applicant has established, by competent evidence, that it has sufficient net worth, approximately \$105,000, which said sum is ample for the operation of the authority applied for herein (Appendixes 3 and 4 to Exhibit 1).

9. Protestant, Northwest Transport Service, Inc., owns or leases 20 converter vans 45 feet long, 2 flatbed trucks 40 feet long, 1 flatbed truck 24 feet long, and 2 flatbed stretch trucks that may be expanded to the length of 60 feet, (Exhibit 4). This equipment is ample to serve the intrastate transportation needs of the Lone Star Steel mill at Fort Collins,

Colorado. Furthermore, Northwest Transport Service, Inc., is not presently operating the aforesaid equipment at full capacity and is not only authorized but is also ready, willing, and able to provide the transportation services needed by the Lone Star Steel Company at Fort Collins, Colorado, not as a contract carrier but as a common carrier by motor vehicle for hire.

10. Protestant, Bowers Transfer & Storage Company, owns or leases 6 trailers, which are suitable for the transportation of the products of the Lone Star Steel Company at Fort Collins, Colorado. Two of these trailers; namely, Unit Nos. S-4065-1 and S-4065-2, are 1969 Fruehauf Trailers, which expand to a length of 60 feet (Exhibit 6). Bowers Transfer & Storage Company likewise is not operating this equipment at full capacity and is ready, willing, and able to provide the transportation services needed by the Lone Star Steel Company at Fort Collins, Colorado. Furthermore, this Protestant has solicited the transportation business of the Lone Star Steel Company at Fort Collins, Colorado, but, so far, has not been offered any shipments to transport.

11. The Lone Star Steel Company is currently moving its products from Fort Collins to points in Colorado, employing other existing Colorado common carriers for such moves, and has found the services to be adequate.

12. Applicant, by its own admissions, would provide, if this application were to be granted, services identical to the services provided now by existing and authorized common carriers. Furthermore, Applicant has failed to establish that there is a present or future private or special need for the proposed contract service, that any specialized equipment would be used in the operation, or that any ancillary or additional services would be performed by the Applicant. In fact, Applicant only desires to perform line-haul cartage in Colorado, and its services would simply add another contract carrier operating in competition with the existing common carriers.

13. Applicant has failed to establish by competent evidence of record that the granting of the authority will be in the public interest.

CONCLUSIONS ON FINDINGS OF FACT

Based on the aforesaid findings of fact, it is concluded that:

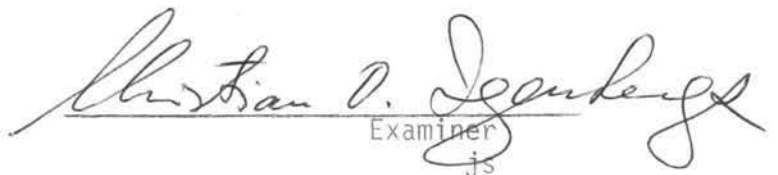
1. The authority sought by Applicant should be denied.
2. Pursuant to 115-6-9 (2), CRS 1963, as amended, it is recommended by the Examiner that the Commission enter the following

O R D E R

THE COMMISSION ORDERS:

1. That Application No. 24769-PP, being an application of K. L. Breeden & Sons, Inc., a Texas corporation, 401 Alamo Street, Terrell, Texas, for a Class "B" Permit to operate as a contract carrier by motor vehicle for hire, be, and hereby is, denied.
2. That this Recommended Decision shall be effective on the day it becomes the decision of the Commission, if such be the case, and is entered as of the date hereinabove set out.
3. That as provided by 115-6-9 (2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period of time as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed within such time by the Commission upon its own motion, such Recommended Decision shall become the Decision of the Commission and subject to the provisions of 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Examiner
js

(Decision No. 78074)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
MARTIN ROGELL DOING BUSINESS AS)
BYERS-DENVER TRUCK LINE)
2635 GARFIELD)
DENVER, COLORADO 80205)

PUC NO. 2030
SUPPLEMENTAL ORDER

June 30, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, the Commission authorized the above-named carrier to suspend operations under the above-entitled authority.

The files and records of the Commission disclose that said carrier has failed to request in writing reinstatement of said authority as provided in the suspension Order, and that said carrier has been previously duly notified by the Commission of such failure.

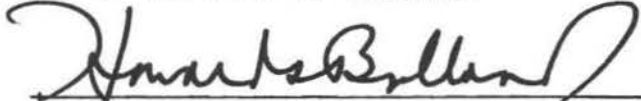


The Commission states and finds that said above-entitled authority should be cancelled and revoked as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled and revoked as of May 21, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado
this 30th day of June, 1971.
vjr

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

SAGE CREEK CANYON COMPANY
1225 BANNOCK STREET
DENVER, COLORADO 80204

Complainant,

vs.

PUBLIC SERVICE COMPANY OF COLORADO
550 - 15TH STREET
DENVER, COLORADO 80202

Respondent.

CASE NO. 5459

June 29, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Complaint in the above-entitled Case was filed on May 24, 1971. An Order to Satisfy or Answer within twenty (20) days was issued to Respondent on May 24, 1971.

On June 11, 1971, Respondent filed a Motion to Dismiss.

The Commission finds that the said Motion to Dismiss does not set forth sufficient grounds that would sustain granting of the Motion and concludes that the said Motion should be denied and the following Order entered.

O R D E R

THE COMMISSION ORDERS THAT:

1. Motion to Dismiss filed by Respondent, Public Service Company of Colorado, in the above-entitled Case on June 11, 1971, be, and hereby is, denied.

2. The Respondent be, and hereby is, ordered to file an answer to the Complaint within ten (10) days of the date of this Order.

This Order shall be effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Donald S. Bell

Harold Zerkow

Edmund J. Cunniff

Commissioners

Dated at Denver, Colorado,
this 29th day of June, 1971.
hbp

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: THE APPLICATION OF RATES
TO INTERMEDIATE POINTS BETWEEN
MINNEQUA, COLORADO AND GRAND
JUNCTION, COLORADO, ON IRON OR
STEEL ARTICLES AS DESCRIBED

CASE NO. 1585

July 2, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On June 11, 1971, Wally Fletchinger, General Traffic Manager, Rio Grande Motor Way, Inc., filed with the Commission 1st Revised Page 22 to its Motor Freight Tariff No. 10-J, Colorado PUC No. 65, scheduled to become effective July 19, 1971.

Item No. 420 appearing thereon is being amended to provide that the applicable rate therein will also apply to directly intermediate points via its line and routes as follows:

Commodity Rates in Cents per 100 Pounds			
Commodity	From	To	Rates
Iron or Steel Articles rated Class 70 or lower in the National Motor Freight Classifi- cation, Truckloads Minimum Weight 40,000 pounds.	Minnequa, Colorado	Grand Junction, Colorado	60
/ * + Rates published in this item will also apply to directly intermediate points via RGMW routes.			

- / denotes addition.
* denotes reduction.
+ denotes application on intrastate traffic only.

George A. Loud, representing Rio Grande Motor Way, Inc., in a letter dated June 1, 1971, forwarded to the Commission, states this addition has been requested by Ralph T. Gish, Supervisor, Rates and Tariffs of the CF&I Steel Corporation. The 10-J tariff herein was

recently issued cancelling 10-I, Colorado PUC No. 56, wherein intermediate application rules were provided but which were not brought forward to the 10-J tariff. The addition herein will provide substantially the same and similar provisions as previously in effect for this item.

Since the publication of this additional condition, as set forth herein appears to be just and reasonable and representative of a consumer need, the Commission states and finds, pursuant to the provisions of Chapter 115-11-5, Article 11, Colorado Revised Statutes (1963) as amended, and Rule 19-B, Rules of Practice and Procedure, an Order shall be entered prescribing Item 420 as amended.

O R D E R

THE COMMISSION ORDERS:

1. That the Statement and Findings of Fact be, and same are hereby, made a part hereof.

2. That the rates, rules and provisions as amended and set forth in the Statement of this Order, shall be the prescribed rates, rules and regulations of the Commission.

3. That 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. That all contract 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. That on and after July 19, 1971, 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 all call and demand motor vehicle common carriers shall be subject to the penalty rule of twenty (20) percent.

6. That on and after July 19, 1971, all contract carriers by motor vehicle operating in competition with any motor vehicle common carriers affected by this Order, shall cease and desist from demanding, charging and collecting rates and charges which shall be less than those herein prescribed, provided that Class "B" contract carriers shall be subject to the penalty rule of twenty (20) percent.

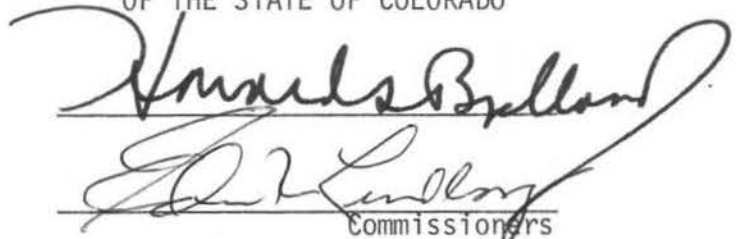
7. That this Order shall not be construed so as to compel a contract carrier by motor vehicle to be or become a motor vehicle common carrier, or to subject any such contract carrier by motor vehicle to the laws and liabilities applicable to a motor vehicle common carrier.

8. That the Order as 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. That this Order shall become effective forthwith.

10. That jurisdiction is retained to make such further Orders as may be necessary and proper.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

Commissioner Henry E. Zarlengo
necessarily absent and not
participating.

Dated at Denver, Colorado, this
2nd day of July, 1971. av

(Decision No. 78077)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
JAMES ROGER CRISPIN, 4815 N. 26TH ST.,)	APPLICATION NO. 25075-PP-TA
BOULDER, COLORADO, FOR TEMPORARY)	
AUTHORITY TO OPERATE AS A CLASS "B")	ORDER GRANTING TEMPORARY AUTHORITY
CONTRACT CARRIER BY MOTOR VEHICLE.)	

- - - - -
June 30, 1971
- - - - -

The above-entitled application under CRS 1963, 115-6-20 (1),
being under consideration, and

It appearing, That there is an immediate and urgent need for
the motor carrier service described in the appendix attached hereto, and
that there is no carrier service available capable of meeting such need;

It is ordered, That Applicant be, and is hereby, granted
temporary authority, conditioned upon full compliance with all applicable
statutory and Commission requirements, rules and regulations, to engage
in the business of transportation by motor vehicle to the extent and in
the manner set forth in the appendix attached hereto.


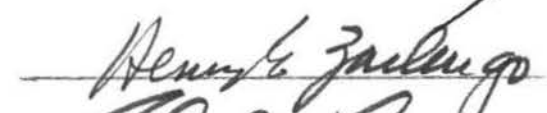
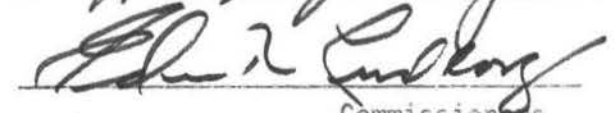
It is further ordered, That the service provided for in this
order shall not be commenced until all requirements have been met and
Applicant has received notice in writing from the Commission that com-
pliance has been effected and service may be instituted.

It is further ordered, That upon the authority herein granted
becoming effective, failure of the Applicant to maintain compliance with
statutory and Commission requirements shall constitute sufficient grounds
for suspension, change or revocation of the said authority.

It is further ordered, That if Applicant fails to comply with
all applicable statutory and Commission requirements, rules and regu-
lations within fifteen (15) days from the date hereof, this Order shall
be of no further force and effect.

It is further ordered, That the authority herein granted shall create no presumption that corresponding permanent authority will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 30th day of June, 1971.
hbp

APPENDIX

Application No. 25075-PP-TA

James Roger Crispin
4815 N. 26th St.
Boulder, Colorado

By Order of the Commission which this appendix is a part hereof, entered under the name and number shown above, Applicant, upon compliance with the conditions set forth therein and after receipt of notice in writing from the Commission that said conditions have been met, is authorized to engage in the business of transportation by motor vehicle as follows:

TIME FOR WHICH TEMPORARY AUTHORITY IS GRANTED - 180 days or until such time as the decision of the Commission on the corresponding permanent application of the Applicant becomes final, whichever occurs first.

TYPE OF CARRIER - Contract

SERVICE AUTHORIZED:

Temporary authority to operate as a class "B" contract carrier by motor vehicle with authority as follows:

"Transportation of

- (1) Sand, gravel and other road-surfacing materials used in the construction of roads and highways

From pits and supply points in the State of Colorado to road jobs, mixer and processing plants within a radius of seventy-five (75) miles of said pits and supply points;

- (2) 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 seventy-five (75) miles of said pits and supply points;

- (3) Sand, gravel, dirt, stone and refuse

From and to building construction jobs, to and from points within a radius of seventy-five (75) miles of said jobs;

- (4) Insulrock

From pits and supply points in the State of Colorado to roofing jobs within a radius of seventy-five (75) miles of said pits and supply points;

RESTRICTION: This temporary authority is restricted against the use of tank vehicles when transporting road-surfacing materials."

(Decision No. 78078)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
EMPIRE WAREHOUSE, INC., 4970 OLIVE)	
STREET, COMMERCE CITY, COLORADO, FOR)	APPLICATION NO. 24935-PP
A CLASS "B" PERMIT TO OPERATE AS A)	
CONTRACT CARRIER BY MOTOR VEHICLE)	
FOR HIRE.)	

ORDER OF ROBERT L. PYLE, EXAMINER,
CONTINUING HEARING FOR THE TAKING
OF ADDITIONAL TESTIMONY

June 30, 1971

Appearances: Harold D. Torgan, Esq.,
Denver, Colorado, for
Applicant.
David E. Driggers, Esq.,
Denver, Colorado, for
Colorado Cartage Company,
Inc., and Frederic A.
Bethke, doing business as
"Bethke Truck Lines,"
Protestants.

STATEMENT AND FINDINGS OF FACT

BY THE EXAMINER:

The above-captioned application, pursuant to notice, was called for hearing in the Hearing Room of the Commission, Columbine Building, 1845 Sherman Street, Denver, Colorado, on Wednesday, June 30, 1971, at 10 a.m. At that time, it was determined and the file so confirms that Protestants did not receive notice of the hearing date, and Protestants were therefore not prepared to proceed. Applicant's shipper witness, Mr. Edward M. Carey, Traffic Manager for E. J. Brach & Sons, Inc., Division of American Home Products, who offices in Chicago, Illinois, had made a special trip to be in Denver and testify in this proceeding, and it was therefore agreed by all the parties that the case would be called for hearing, the testimony

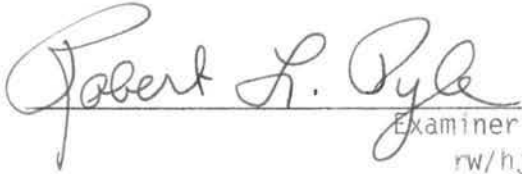
of the said Edward M. Carey would be presented in both direct and cross-examination and that he could thereafter be excused from any further attendance in this proceeding. It was agreed by all the parties that following the taking of testimony from the aforementioned Edward M. Carey, the matter would be continued for further hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, on Tuesday, July 6, 1971, commencing at 1 p.m.

O R D E R

THE EXAMINER ORDERS:

1. Pursuant to the agreement of the parties, this matter is continued for further hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, on Tuesday, July 6, 1971, commencing at 1 p.m.
2. This Order shall be effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Examiner
rw/hj

(Decision No. 78079)

BEFORE THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ADOLPH E. ZAMBONI AND KATHERINE)
ZAMBONI, DOING BUSINESS AS "H & L)
RUBBISH REMOVAL," 1879 SOUTH GROVE,)
DENVER, COLORADO, FOR AUTHORITY TO)
TRANSFER ALL RIGHT, TITLE, AND INTER-)
EST IN AND TO CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY PUC NO.)
3742 TO HENRY LINDEMANN AND DOROTHY)
C. LINDEMANN, DOING BUSINESS AS "H)
& L RUBBISH REMOVAL," 4320 SOUTH)
HURON, ENGLEWOOD, COLORADO.)

APPLICATION NO. 24985-Transfer

ORDER OF THE COMMISSION

- - - - -
July 1, 1971
- - - - -

It appearing, That by Order of the Commission dated May 12, 1971, notice of the filing of the above-entitled application was given to all interested persons, firms and corporations pursuant to CRS 1963, 115-6-8 (2);

It further appearing, That no protest, objection or petition to intervene or otherwise participate in the proceeding has been filed by any person within the time prescribed by the Commission in said Order, and that the herein proceeding is therefore noncontested and unopposed;

It further appearing, That pursuant to CRS 1963, 115-6-9 (5) the herein matter is one which may properly be determined without the necessity of a formal oral hearing and that the taking of evidence in this proceeding should be by reference to the verified application as filed with the Commission together with such additional information or data as may have been required of Applicants in connection with said filing, and the files and records of the Commission;

And it further appearing, That the evidence thus submitted amply warrants approval of the transfer as hereinafter ordered;

Wherefore, and good cause appearing therefor:

We find, That the financial standing of the Transferees has been satisfactorily established and that the transfer is compatible with the public interest;

And we further find, That Transferees are fit, willing and able properly to engage in bona fide motor carrier operations under the authority to be transferred and to conform to the applicable statutory requirements and the Commission's rules and regulations thereunder, and that an appropriate order should be entered; and

It is ordered, That Adolph E. Zamboni and Katherine Zamboni, doing business as "H & L Rubbish Removal," 1879 South Grove, Denver, Colorado, be, and are hereby, authorized to transfer all right, title and interest in and to Certificate of Public Convenience and Necessity PUC No. 3742 to Henry Lindemann and Dorothy C. Lindemann, doing business as "H & L Rubbish Removal," 4320 South Huron, Englewood, Colorado, subject to encumbrances, if any, against said authority approved by this Commission.

It is further ordered, That henceforth the full and complete authority under Certificate of Public Convenience and Necessity PUC No. 3742 shall read and be as follows, to wit:

"Transportation of

Ash, trash, and other refuse

From points located within the City and County of Denver,
to designated and approved dumps and disposal sites located
in Adams, Arapahoe, and Jefferson Counties, Colorado."

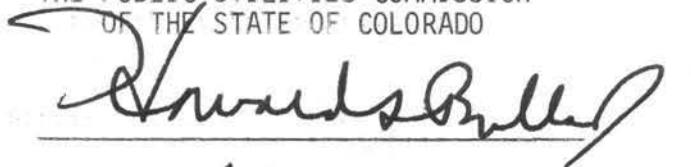
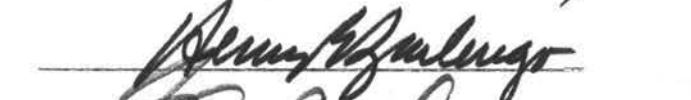

It is further ordered, That said transfer shall become effective only if and when, but not before, said Transferors and Transferees, in writing, have advised the Commission that said Certificate has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order, to be by them or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty 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.

It is further ordered, That the right of Transferees to operate under this Order shall be dependent upon 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 Certificate up to the time of transfer of said Certificate.

And it is further ordered, That this Order shall become effective twenty-one days from the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 1st day of July, 1971.

hj

(Decision No. 78080)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
SMITH SAND AND GRAVEL COMPANY
Box 391
Garden City, Kansas 67846

AUTHORITY NO. M 3780
CASE NO. 6994-M-Ins.

June 30, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On May 24, 1971 , in the above-entitled Case, the Commission entered its Order revoking the above authority for failure to maintain effective insurance on file with the Commission.

The records of the Commission now disclose that proper insurance filing has been made.

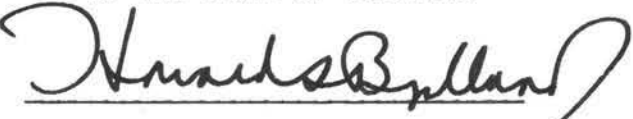
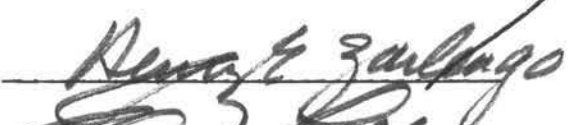

The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

O R D E R

THE COMMISSION ORDERS:

That the herein 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 30th day of June, 1971

(Decision No. 78081)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)

FLOYD COLLINS DBA)
COLLINS FIREWORKS)
603 South 8th Street)
Colorado Springs, Colorado 80904)

AUTHORITY NO. M 11063

CASE NO. 7020-M-Ins.

- - - - -

- - - - -
June 30, 1971
- - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On June 14, 1971 , in the above-entitled Case, the Commission entered its Order revoking the above authority for failure to maintain effective insurance on file with the Commission.

The records of the Commission now disclose that proper insurance filing has been made.

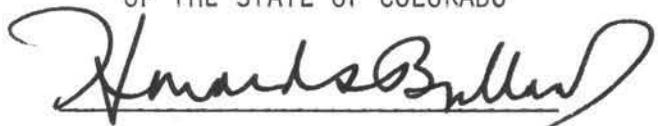


The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

O R D E R

THE COMMISSION ORDERS:

That the herein 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 30th day of June, 1971

(Decision No. 78082)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
RICHARD H. ESHE AND LOIS MAE ESHE,)	APPLICATION NO. 24880-Extension
DOING BUSINESS AS "SOUTH PARK MOTOR)	
LINES," 48 EAST 56TH AVENUE, DENVER,)	RECOMMENDED DECISION OF
COLORADO, FOR A CERTIFICATE OF PUBLIC)	ROBERT L. PYLE, EXAMINER
CONVENIENCE AND NECESSITY AUTHORIZING)	
EXTENSION OF OPERATIONS UNDER PUC NO.)	GRANTING APPLICATION
1026 AND PUC NO. 1026-I, IN BOTH)	
INTRASTATE AND INTERSTATE COMMERCE.)	

July 1, 1971

Appearances: Marion F. Jones, Esq.,
 for Applicant;
 John P. Thompson, Esq.,
 for Protestant,
 Windecker Truck Line.

PROCEDURE AND RECORD

Under date of March 29, 1971, Applicants transmitted for filing the above-entitled application with this Commission for authority to extend operations as a common carrier by motor vehicle for hire in intra-state commerce, as specifically set forth in said application. Applicants seek corresponding authority leading to a certificate of registration to conduct operations in interstate or foreign commerce under Section 206(a)(6) of the Interstate Commerce Act. Notice thereof was published in the Federal Register of April 21, 1971.

The Commission assigned Docket No. 24880-Extension to the application.

Pursuant to law, the Commission designated Robert L. Pyle as Examiner for the purpose of conducting hearing on this application and, after due and proper notice to all interested persons, firms, or corporations, set the herein matter for hearing to be held in the hearing room of the Commission, Columbine Building, 1845 Sherman Street, Denver, Colorado, on Thursday, June 24, 1971, at 10 a.m. The hearing was held at the said time and place.

Protest was received on behalf of Windecker Truck Line, which was withdrawn at the hearing by its attorney, John P. Thompson, upon acceptance of an amendment to the application.

Lois Mae Eshe, Ernie Brown, and Charles Lewis testified in support of the application.

Exhibits Nos. 1, 2, 3, and 4 were tendered and admitted into evidence.

At the conclusion of the hearing, the subject matter was taken under advisement.

Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes (1963), as amended, Examiner Robert L. Pyle now transmits herewith to the Commission the record and exhibits of this proceeding together with a written recommended decision which contains his findings of fact and conclusions thereon, together with the recommended order or requirement.

FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact that:

1. Applicants are a partnership, said partnership being composed of Richard H. Eshe and Lois Mae Eshe, doing business as "South Park Motor Lines," which holds authority from this Commission under Certificates of Public Convenience and Necessity PUC No. 1026 and PUC No. 1179 and Contract Carrier Permit B-6021.

2. The authority to which extension is sought, PUC No. 1026 and PUC No. 1026-I, presently reads as follows, to wit:

"Decision No. 31127: Transportation of freight and express

Between Denver and Alma, Colorado, and all intermediate points including Bailey, Shaffer's Crossing, Grant, Jefferson, Como, Fairplay, Alma, US 285 Denver to Fairplay, Colorado, Colorado 9 to Alma.

Decision No. 15606: Extended to: Transportation of general commodities

Between Denver and Hartsel, Colorado, and one intermediate point, namely Garo, Colorado, by way of US 285 and Colorado 9.

Decision No. 32736: Extended to: Transportation of general commodities, machinery, materials, supplies, and equipment incidental to or used in the construction, development, operation, and maintenance of facilities for the discovery, development, production of natural gas and petroleum, in intrastate commerce, within a radius of twenty miles of Hartsel, Colorado.

Subject to a minimum load of one thousand pounds, between Hartsel and Fairplay, Colorado.

Decision No. 43183: Extended to: Transportation of all commodities, except livestock and farm products,

Between points within a radius of ten miles of Jefferson, Colorado and between such points and those points now served by applicants under their Certificate Decision No. 43183, amended nunc pro tunc by Decision No. 43196:

No service to be performed beyond the Continental Divide, to a point approximately six (6) miles north of Alma, Colorado, on State Highway No. 9.

Decision No. 44264: Transportation, on call and demand, of commodities, generally, except livestock and farm products

From their presently authorized route, to a point on Colorado Highway No. 9 five (5) miles north of Hoosier Pass (where Continental Divide crosses Colorado Highway No. 9), including intermediate points, with the right to serve points within a four (4) mile radius of Colorado Highway No. 9 between Alma and said point five (5) miles north of Hoosier Pass on Colorado Highway No. 9

EXTENDED BY DECISION No. 49886 to include the transportation of general commodities

To and from a five-mile radius of Denver, Colorado, when the same shall originate or terminate on the present line of said South Park Motor Lines.

EXTENDED BY DECISION No. 77004 to include transportation, on schedule, of general commodities

Between Denver, Colorado, and Frisco, Colorado, over U.S. Highway Nos. 6 and 40, and Interstate Highway No. 70 (I-70), serving those intermediate points located on U.S. Highway No. 6 lying west of Georgetown, Colorado.

RESTRICTED against the transportation of commodities in bulk in tank vehicles and livestock.

INTERSTATE AUTHORITY: 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."

3. The authority to which extension is hereby sought, PUC No. 1026 and PUC No. 1026-I, has been continually operated in the past and is presently in good standing with the Commission.

4. By this application, Applicants seek to extend and re-word the present authority, so that the certificate when re-worded will read as follows:

- (1) Transportation, on schedule, of general commodities, except livestock.

Between Denver, Colorado, and points within five (5) miles thereof, and Shaffer's Crossing, Colorado, in either direction over the following described routes: U.S. 6, U.S. 40, Interstate 70, Colorado Highway 9, and U.S. Highway 285.

Serving all intermediate points located west of Georgetown, Colorado, on U.S. Highway 6 and I-70 except the east and west portals of the Straight Creek tunnel; and all intermediate and off-route points located on and within four (4) miles of Colorado Highway 9 and U. S. 285 between Frisco and Shaffer's Crossing, Colorado.

RESTRICTION: Item No. 1 is restricted against the transportation of commodities in bulk in tank vehicles on that portion of the above routes between Denver and Frisco via U.S. 6, U.S. 40 and I-70.

- (2) Transportation, on call and demand, of general commodities,

Within a radius of twenty (20) miles of Hartsel, Colorado.

- (3) Transportation, on call and demand, of general commodities, except livestock and farm products,

Between points within a radius of ten (10) miles of Jefferson, Colorado.

5. The extension applied for herein is compatible with and does not conflict with or duplicate the authority held by Applicants.

6. Applicants established the existence of a present and future public need for the proposed service. That the present service is erratic, undependable, and subject to substantial delays. That as to the small portion of the application involving an extension, the proposed service is vitally needed and will be used by the public.

7. That the only extension involved in the application covers that part of Colorado Highway No. 9 extending from Frisco to Breckenridge, including off-route points within four (4) miles on either side of said highway. The only additional extension is the service at intermediate points on U.S. Highway 70 west of Georgetown and on U.S. Highway 285 southwest of Shaffer's Crossing.

8. Applicants own sufficient equipment, have sufficient experience and net worth, all of which are ample and suitable for the operation of the authority applied for herein.

9. Applicants are sufficiently familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, promise to abide by said rules and regulations, as well as the safety requirements of the Commission. Further, Applicants have or will make adequate provision for insurance.

10. The present or future public convenience and necessity requires or will require the granting of the extended authority as hereinafter set forth.

11. The authority will be in the public interest.

12. This Certificate of Public Convenience and Necessity, as outlined in the Order, infra, is being issued after notice to interested persons, through publication in the Federal Register of April 21, 1971, of the filing of the application and of the desire of the Applicants also to engage in the transportation in interstate and foreign commerce within the limits of the intrastate authority granted, and reasonable opportunity having been afforded interested persons to be heard, and the question of the proposed interstate and foreign operations having been duly considered, it is hereby found and made part of this Order that Public convenience and necessity require that Applicants also be authorized to engage in operations in interstate and foreign commerce within limits which do not exceed, and which shall identically correspond

to, both as to commodities to be transported and points and territory to be served, the scope of the intrastate operations hereinabove authorized to be conducted.

CONCLUSIONS ON FINDINGS OF FACT

Based on the aforesaid findings of fact, it is concluded that:

1. The authority sought by Applicants should be granted as hereinafter set forth.

2. Pursuant to 115-6-9 (2), CRS 1963, as amended, it is recommended by the Examiner that the Commission enter the following

O R D E R

THE COMMISSION ORDERS:

1. That Richard H. Eshe and Lois Mae Eshe, doing business as "South Park Motor Lines," 48 East 56th Avenue, Denver, Colorado, be, and they hereby are, authorized to extend operations under Certificate of Public Convenience and Necessity PUC No. 1026 and PUC No. 1026-I, so that henceforth the full and complete authority under said certificate shall be and read as follows, to wit:

- (1) Transportation, on schedule, of general commodities, except livestock,

Between Denver, Colorado, and points within five (5) miles thereof, and Shaffer's Crossing, Colorado, in either direction over the following described routes: U.S. 6, U.S. 40, Interstate 70, Colorado Highway 9, and U.S. Highway 285.

Serving all intermediate points located west of Georgetown, Colorado, on U.S. Highway 6 and I-70 except the east and west portals of the Straight Creek tunnel; and all intermediate and off-route points located on and within four (4) miles of Colorado Highway 9 and U.S. 285 between Frisco and Shaffer's Crossing, Colorado.

RESTRICTION: Item No. 1 is restricted against the transportation of commodities in bulk in tank vehicles on that portion of the above routes between Denver and Frisco via U.S. 6, U.S. 40 and I-70.

- (2) Transportation, on call and demand, of general commodities,

Within a radius of twenty (20) miles of Hartsel, Colorado.

- (3) Transportation, on call and demand, of general commodities, except livestock and farm products,

Between points within a radius of ten (10) miles of Jefferson, Colorado.

Authority to use equipment in the State of Colorado as a Common Interstate Carrier 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.

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

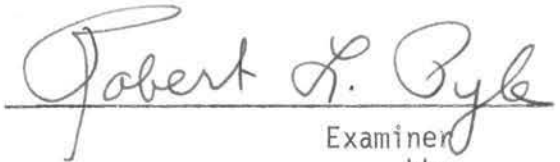
3. That this Order is subject to compliance by Applicants with all present and future laws and rules and regulations of the Commission.

4. That this Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinabove set out.

5. That as provided by 115-6-9 (2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period of time as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such

Decision is stayed within such time by the Commission upon its own motion, such Recommended Decision shall become the Decision of the Commission and subject to the provisions of 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Examiner
hbp

(Decision No. 78083)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION)	
OF EUGENE DOYLE CROWLEY, DOING)	
BUSINESS AS "WHEAT RIDGE ASPHALT,"	)	APPLICATION NO. 25072-PP-TA
3032 ARAPAHOE STREET, DENVER,)	
COLORADO, FOR TEMPORARY AUTHORITY	)	ORDER GRANTING TEMPORARY AUTHORITY
TO OPERATE AS A CLASS "B" CONTRACT)	
CARRIER BY MOTOR VEHICLE.)	

- - - - -
July 1, 1971
- - - - -

The above-entitled application under CRS 1963, 115-6-20(1),
being under consideration, and

It appearing, That there is an immediate and urgent need for
the motor carrier service described in the appendix attached hereto, and
that there is no carrier service available capable of meeting such need.

It is ordered, That Applicant be, and is hereby, granted tempo-
rary authority, conditioned upon full compliance with all applicable
statutory and Commission requirements, rules and regulations, to engage
in the business of transportation by motor vehicle to the extent and in
the manner set forth in the appendix attached hereto.

It is further ordered, That the service provided for in this
order shall not be commenced until all requirements have been met and
Applicant has received notice in writing from the Commission that compli-
ance has been effected and service may be instituted.

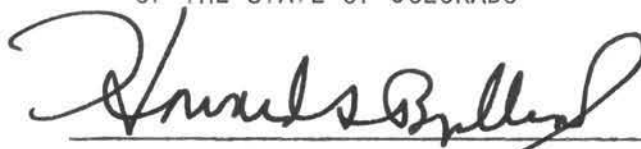
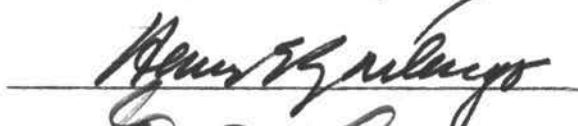

It is further ordered, That upon the authority herein granted
becoming effective, failure of the Applicant to maintain compliance with
statutory and Commission requirements shall constitute sufficient grounds
for suspension, change or revocation of the said authority.

It is further ordered, That if Applicant fails to comply with
all applicable statutory and Commission requirements, rules and regulations

within fifteen (15) days from the date hereof, this Order shall be of no further force and effect.

It is further ordered, That the authority herein granted shall create no presumption that corresponding permanent authority will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 1st day of July, 1971.
hbp

(Decision No. 78083)
July 1, 1971

APPENDIX

Application No. 25072-PP-TA

Eugene Doyle Crowley
Doing Business As
Wheat Ridge Asphalt
3032 Arapahoe Street
Denver, Colorado

By Order of the Commission which this appendix is a part hereof, entered under the name and number shown above, Applicant, upon compliance with the conditions set forth therein and after receipt of notice in writing from the Commission that said conditions have been met, is authorized to engage in the business of transportation by motor vehicle as follows:

TIME FOR WHICH TEMPORARY AUTHORITY IS GRANTED - 165 days or until such time as the decision of the Commission on the corresponding permanent application of the Applicant becomes final, whichever occurs first.

TYPE OF CARRIER - Contract

SERVICE AUTHORIZED:

Temporary authority to operate as a class "B" contract carrier by motor vehicle with authority as follows:

"Transportation of

- (1) Sand, gravel and other road-surfacing materials used in the construction of roads and highways

From pits and supply points in the State of Colorado to road jobs, mixer and processing plants within a radius of fifty (50) miles of said pits and supply points;

- (2) Sand and gravel

From pits and supply points in the State of Colorado to railroad loading points and to homes and small construction jobs within a radius of fifty (50) miles of said pits and supply points;

(3) Sand, gravel, dirt, stone and refuse

From and to building construction jobs, to and from points within a radius of fifty (50) miles of said jobs;

(4) Insulrock

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

RESTRICTION: This temporary authority is restricted against the use of tank vehicles when transporting road-surfacing materials."

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
C. E. HAMILTON AND PETE HAMILTON,)	APPLICATION NO. 25073-PP-TA
P. O. BOX 555, RANGELY, COLORADO,)	
FOR TEMPORARY AUTHORITY TO OPERATE)	ORDER GRANTING TEMPORARY AUTHORITY
AS A CLASS "B" CONTRACT CARRIER)	
BY MOTOR VEHICLE.)	

July 1, 1971

The above-entitled application under CRS 1963, 115-6-20 (1),
being under consideration, and

It appearing, That there is an immediate and urgent need for the
motor carrier service described in the appendix attached hereto, and that
there is no carrier service available capable of meeting such need.

It is ordered, That applicants be, and are hereby, granted tempo-
rary authority, conditioned upon full compliance with all applicable
statutory and Commission requirements, rules and regulations, to engage
in the business of transportation by motor vehicle to the extent and in
the manner set forth in the appendix attached hereto.

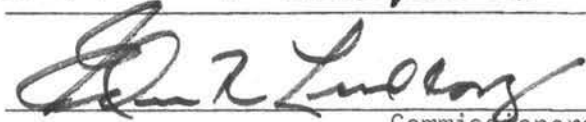
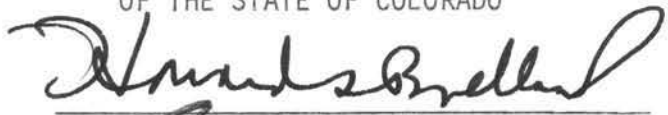
It is further ordered, That the service provided for in this
order shall not be commenced until all requirements have been met and
Applicants have received notice in writing from the Commission that compli-
ance has been effected and service may be instituted.

It is further ordered, That upon the authority herein granted
becoming effective, failure of the Applicants to maintain compliance with
statutory and Commission requirements shall constitute sufficient grounds
for suspension, change or revocation of the said authority.

It is further ordered, That if Applicants fail to comply with
all applicable statutory and Commission requirements, rules and regulations
within fifteen (15) days from the date hereof, this Order shall be of no
further force and effect.

It is further ordered, That the authority herein granted shall create no presumption that corresponding permanent authority will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

COMMISSIONER HENRY E. ZARLENGO NECESSARILY
ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado, this
1st day of July, 1971.

vjr

(Decision No. 78084)
July 1, 1971

APPENDIX

Application No. 25073-PP-TA

C. E. Hamilton and Pete Hamilton
P. O. Box 555
Rangely, Colorado

By Order of the Commission which this appendix is a part hereof, entered under the name and number shown above, Applicants, upon compliance with the conditions set forth therein and after receipt of notice in writing from the Commission that said conditions have been met, are authorized to engage in the business of transportation by motor vehicle as follows:

TIME FOR WHICH TEMPORARY AUTHORITY IS GRANTED - 165 days or until such time as the decision of the Commission on the corresponding permanent application of the Applicants becomes final, whichever occurs first.

TYPE OF CARRIER - Contract

SERVICE AUTHORIZED:

Temporary authority to operate as a class "B" contract carrier by motor vehicle with authority as follows:

"Transportation of

- (1) 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 (100) miles of said pits and supply points;

- (2) 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 one hundred (100) miles of said pits and supply points;

- (3) Sand, gravel, dirt, stone and refuse

From and to building construction jobs, to and from points within a radius of one hundred (100) miles of said jobs;

(4) Insulrock

From pits and supply points in the State of Colorado to roofing jobs within a radius of one hundred (100) miles of said pits and supply points;

RESTRICTION: This temporary authority is restricted against the use of tank vehicles when transporting road-surfacing materials."

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	APPLICATION NO. 25082-PP-ETA
A. J. FENISON, 1235 TONKA STREET,)	
COLORADO SPRINGS, COLORADO, FOR)	ORDER GRANTING
EMERGENCY TEMPORARY AUTHORITY TO)	EMERGENCY TEMPORARY AUTHORITY
OPERATE AS A CLASS "B" CONTRACT)	
CARRIER BY MOTOR VEHICLE.)	

- - - - -
July 1, 1971
- - - - -

The above-entitled application under CRS 1963, 115-6-20 (4),
being under consideration, and

It appearing, That appropriate application has been made to
this Commission for permanent operating authority.

It further appearing, That there is an immediate and urgent
need for the transportation service herein sought.

It further appearing, That failure to immediately grant emergency
temporary authority may result in undue delay in availability of equipment
to contractors for pending construction projects.

And it further appearing, That said circumstances constitute an
emergency requiring the immediate issuance of temporary authority.

It is ordered, That A. J. Fenison, 1235 Tonka Street, Colorado
Springs, Colorado, be, and is hereby, granted emergency temporary authority
for a period of fifteen (15) days commencing July 1, 1971, as a class "B"
contract carrier by motor vehicle, for the

"Transportation of

- (1) Sand, gravel and other road-surfacing materials used in
the construction of roads and highways

From pits and supply points in the State of Colorado to
road jobs, mixer and processing plants within a radius
of fifty (50) miles of said pits and supply points;

(2) Sand and gravel

From pits and supply points in the State of Colorado to railroad loading points and to homes and small construction jobs within a radius of fifty (50) miles of said pits and supply points;

(3) Sand, gravel, dirt, stone and refuse

From and to building construction jobs, to and from points within a radius of fifty (50) miles of said jobs;

(4) Insulrock

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

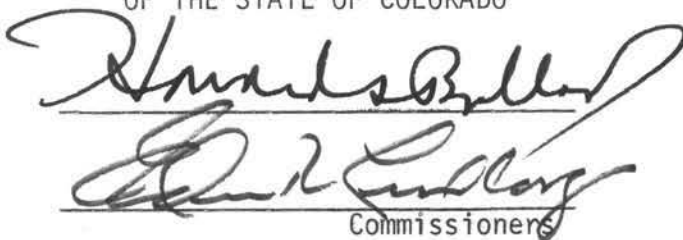
RESTRICTION: This emergency temporary authority is restricted against the use of tank vehicles when transporting road-surfacing materials";

conditioned upon full compliance with all applicable statutory and Commission requirements, rules and regulations.

It is further ordered, That the service provided for in this Order shall not be commenced until all requirements have been met and Applicant has received notice in writing from the Commission that compliance has been effected and service may be instituted.

And it is further ordered, That the authority herein granted shall create no presumption that corresponding temporary or permanent authority will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

COMMISSIONER HENRY E. ZARLENGO
NECESSARILY ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 1st day of July, 1971.
js

(Decision No. 78086)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	APPLICATION NO. 25081-PP-ETA
BURL ENTERPRISES, INC., 10930 W.)	
44TH AVENUE, WHEATRIDGE, COLORADO,)	ORDER GRANTING
FOR EMERGENCY TEMPORARY AUTHORITY)	EMERGENCY TEMPORARY AUTHORITY
TO OPERATE AS A CLASS "B" CONTRACT)	
CARRIER BY MOTOR VEHICLE.)	

- - - - -
July 1, 1971
- - - - -

The above-entitled application under CRS 1963, 115-6-20 (4),
being under consideration, and

It appearing, That appropriate application has been made to
this Commission for permanent operating authority.

It further appearing, That there is an immediate and urgent
need for the transportation service herein sought.

It further appearing, That failure to immediately grant
emergency temporary authority may result in undue delay in availability
of equipment to contractors for pending construction projects.

And it further appearing, That said circumstances constitute
an emergency requiring the immediate issuance of temporary authority.

It is ordered, That Burl Enterprises, Inc., 10930 W. 44th
Avenue, Wheatridge, Colorado, be, and is hereby, granted emergency
temporary authority for a period of fifteen (15) days commencing July 1,
1971, as a class "B" contract carrier by motor vehicle, for the

"Transportation of

- (1) 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 (100) miles of said pits and supply points;

(2) 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 one hundred (100) miles of said pits and supply points;

(3) Sand, gravel, dirt, stone and refuse

From and to building construction jobs, to and from points within a radius of one hundred (100) miles of said jobs;

(4) Insulrock

From pits and supply points in the State of Colorado to roofing jobs, within a radius of one hundred (100) miles of said pits and supply points;

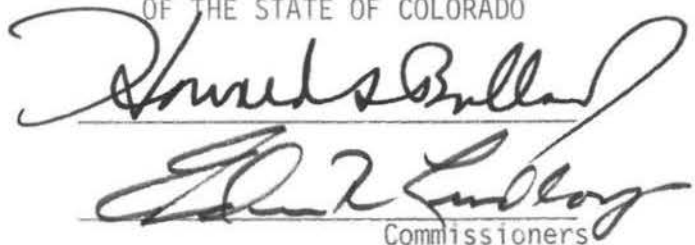
RESTRICTION: This emergency temporary authority is restricted against the use of tank vehicles when transporting road-surfacing materials.

conditioned upon full compliance with all applicable statutory and Commission requirements, rules and regulations.

It is further ordered, That the service provided for in this Order shall not be commenced until all requirements have been met and Applicant has received notice in writing from the Commission that compliance has been effected and service may be instituted.

And it is further ordered, That the authority herein granted shall create no presumption that corresponding temporary or permanent authority will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

COMMISSIONER HENRY E. ZARLENGO
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 1st day of July, 1971.

js

(Decision No. 78087)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	APPLICATION NO. 25080-PP-ETA
CARL J. SCAVO AND PATRICIA M. SCAVO,)	
DOING BUSINESS AS "SCAVO TRUCKING)	ORDER GRANTING
& TOWING," 3347 W. 53RD AVENUE,)	EMERGENCY TEMPORARY AUTHORITY
DENVER, COLORADO, FOR EMERGENCY)	
TEMPORARY AUTHORITY TO OPERATE AS A)	
CLASS "B" CONTRACT CARRIER BY)	
MOTOR VEHICLE.)	

- - - - -
July 1, 1971
- - - - -

The above-entitled application under CRS 1963, 115-6-20 (4),
being under consideration, and

It appearing, That appropriate application has been made to
this Commission for permanent operating authority.

It further appearing, That there is an immediate and urgent
need for the transportation service herein sought.

It further appearing, That failure to immediately grant
emergency temporary authority may result in undue delay in availability
of equipment to contractors for pending construction projects.

And it further appearing, That said circumstances constitute
an emergency requiring the immediate issuance of temporary authority.

It is ordered, That Carl J. Scavo and Patricia M. Scavo, doing
business as "Scavo Trucking & Towing," 3347 W. 53rd Avenue, Denver, Colorado,
be, and are hereby, granted emergency temporary authority for a period of
fifteen (15) days commencing July 1, 1971, as a class "B" contract carrier
by motor vehicle, for the

"Transportation of

- (1) 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 (100) miles of said pits and supply points;

- (2) 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 one hundred (100) miles of said pits and supply points;

- (3) Sand, gravel, dirt, stone and refuse

From and to building construction jobs, to and from points within a radius of one hundred (100) miles of said jobs;

- (4) Insulrock

From pits and supply points in the State of Colorado to roofing jobs, within a radius of one hundred (100) miles of said pits and supply points;

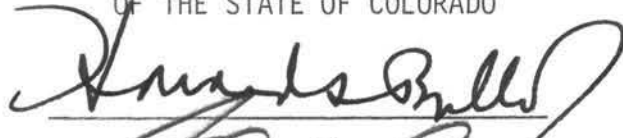

RESTRICTION: This emergency temporary authority is restricted against the use of tank vehicles when transporting road-surfacing materials";

conditioned upon full compliance with all applicable statutory and Commission requirements, rules and regulations.

It is further ordered, That the service provided for in this Order shall not be commenced until all requirements have been met and Applicants have received notice in writing from the Commission that compliance has been effected and service may be instituted.

And it is further ordered, That the authority herein granted shall create no presumption that corresponding temporary or permanent authority will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

COMMISSIONER HENRY E. ZARLENGO
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 1st day of July, 1971.
js

(Decision No. 78088)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
MILTON G. JANSSEN, 3205 ARROWWOOD)	APPLICATION NO. 25052-PP-TA
LANE, BOULDER, COLORADO, FOR TEMPO-)	
RARY AUTHORITY TO OPERATE AS A CLASS)	ORDER GRANTING TEMPORARY AUTHORITY
"B" CONTRACT CARRIER BY MOTOR VEHICLE.)	

July 1, 1971

The above-entitled application under CRS 1963, 115-6-20 (1),
being under consideration, and

It appearing, That there is an immediate and urgent need for the
motor carrier service described in the appendix attached hereto, and that
there is no carrier service available capable of meeting such need;

It is ordered, That Applicant be, and is hereby, granted
temporary authority, conditioned upon full compliance with all applicable
statutory and Commission requirements, rules and regulations, to engage
in the business of transportation by motor vehicle to the extent and in
the manner set forth in the appendix attached hereto.

It is further ordered, That the service provided for in this
order shall not be commenced until all requirements have been met and
Applicant has received notice in writing from the Commission that compliance
has been effected and service may be instituted.

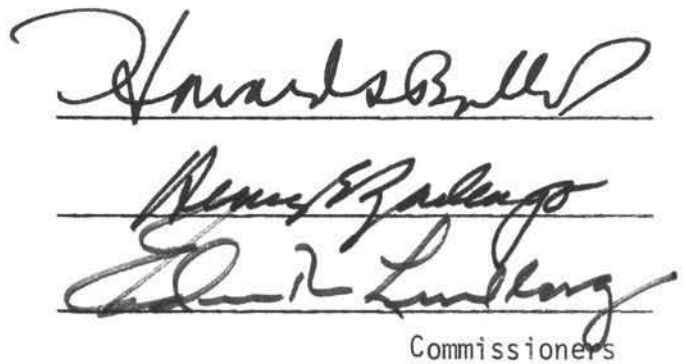
It is further ordered, That upon the authority herein granted
becoming effective, failure of the Applicant to maintain compliance with
statutory and Commission requirements shall constitute sufficient grounds
for suspension, change or revocation of the said authority.

It is further ordered, That if Applicant fails to comply with
all applicable statutory and Commission requirements, rules and

regulations within fifteen (15) days from the date hereof, this Order shall be of no further force and effect.

It is further ordered, That the authority herein granted shall create no presumption that corresponding permanent authority will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



The block contains three handwritten signatures, each written over a horizontal line. The signatures are in cursive and appear to be of the same ink. The first signature is the largest and most prominent. The second and third signatures are smaller and positioned below the first.

Commissioners

Dated at Denver, Colorado,
this 1st day of July, 1971.
hbp

(Decision No. 78088)
July 1, 1971

APPENDIX

Application No. 25052-PP-TA

Milton G. Janssen
3205 Arrowwood Lane
Boulder, Colorado

By Order of the Commission which this appendix is a part hereof, entered under the name and number shown above, Applicant, upon compliance with the conditions set forth therein and after receipt of notice in writing from the Commission that said conditions have been met, is authorized to engage in the business of transportation by motor vehicle as follows:

TIME FOR WHICH TEMPORARY AUTHORITY IS GRANTED - 180 days or until such time as the decision of the Commission on the corresponding permanent application of the Applicant becomes final, whichever occurs first.

TYPE OF CARRIER - Contract

SERVICE AUTHORIZED:

Temporary authority to operate as a class "B" contract carrier by motor vehicle with authority as follows:

"Transportation of

- (1) 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 fifty (150) miles of said pits and supply points;

- (2) 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 one hundred fifty (150) miles of said pits and supply points;

- (3) Sand, gravel, dirt, stone and refuse

From and to building construction jobs, to and from points within a radius of one hundred fifty (150) miles of said jobs;

(4) Insulrock

From pits and supply points in the State of Colorado to roofing jobs within a radius of one hundred fifty (150) miles of said pits and supply points;

RESTRICTION: Items 1, 2, 3, and 4 of this Permit are restricted against the use of tank vehicles when transporting road-surfacing materials.

(5) Clay

From pits and supply points located within the County of Boulder, State of Colorado, to points within a radius of one hundred fifty (150) miles of said pits and supply points;

(6) Water

From supply points to points within a fifty (50) mile radius of said supply points."

(Decision No. 78089)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RALPH BREDTHAUER, DOING BUSINESS AS)
"R. W. BREDTHAUER TRUCKING," 6500)
E. 88TH AVE., HENDERSON, COLORADO,)
FOR TEMPORARY AUTHORITY TO OPERATE)
AS A CLASS "B" CONTRACT CARRIER BY)
MOTOR VEHICLE.)

APPLICATION NO. 25066-PP-TA
ORDER GRANTING TEMPORARY AUTHORITY

- - - - -
July 1, 1971
- - - - -

The above-entitled application under CRS 1963, 115-6-20 (1),
being under consideration, and

It appearing, That there is an immediate and urgent need for
the motor carrier service described in the appendix attached hereto, and
that there is no carrier service available capable of meeting such need;

It is ordered, That Applicant be, and is hereby, granted
temporary authority, conditioned upon full compliance with all applicable
statutory and Commission requirements, rules and regulations, to engage
in the business of transportation by motor vehicle to the extend and in
the manner set forth in the appendix attached hereto.

It is further ordered, That the service provided for in this
order shall not be commenced until all requirements have been met and
Applicant has received notice in writing from the Commission that
compliance has been effected and service may be instituted.

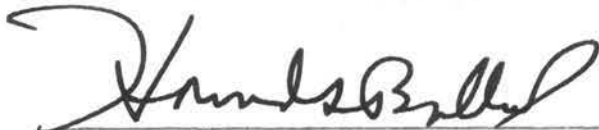
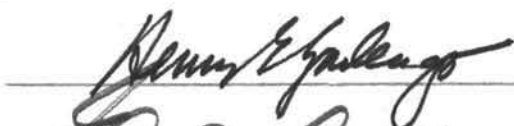

It is further ordered, That upon the authority herein granted
becoming effective, failure of the Applicant to maintain compliance with
statutory and Commission requirements shall constitute sufficient grounds
for suspension, change or revocation of the said authority.

It is further ordered, That if Applicant fails to comply with
all applicable statutory and Commission requirements, rules and regulations

within fifteen (15) days from the date hereof, this Order shall be of no further force and effect.

It is further ordered, That the authority herein granted shall create no presumption that corresponding permanent authority will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 1st day of July, 1971.
hbp

APPENDIX

Application No. 25066-PP-TA

Ralph Bredthauer
Doing Business As
"R. W. Bredthauer Trucking"
6500 E. 88th Ave.
Henderson, Colorado

By Order of the Commission which this appendix is a part hereof, entered under the name and number shown above, Applicant, upon compliance with the conditions set forth therein and after receipt of notice in writing from the Commission that said conditions have been met, is authorized to engage in the business of transportation by motor vehicle as follows:

TIME FOR WHICH TEMPORARY AUTHORITY IS GRANTED - 165 days or until such time as the decision of the Commission on the corresponding permanent application of the Applicant becomes final, whichever occurs first.

TYPE OF CARRIER - Contract

SERVICE AUTHORIZED:

Temporary authority to operate as a class "B" contract carrier by motor vehicle with authority as follows:

"Transportation of

- (1) Sand, gravel and other road-surfacing materials used in the construction of roads and highways

From pits and supply points in the State of Colorado to road jobs, mixer and processing plants within a radius of fifty (50) miles of said pits and supply points;

- (2) Sand and gravel

From pits and supply points in the State of Colorado to railroad loading points and to homes and small construction jobs within a radius of fifty (50) miles of said pits and supply points;

- (3) Sand, gravel, dirt, stone and refuse

From and to building construction jobs, to and from points within a radius of fifty (50) miles of said jobs;

- (4) Insulrock

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

RESTRICTION: This temporary authority is restricted against the use of tank vehicles when transporting road-surfacing materials."

(Decision No. 78090)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
JERALD DAVID BRANDT, BOX 524, GRANBY,)	APPLICATION NO. 25057-PP-TA
COLORADO, FOR TEMPORARY AUTHORITY TO)	
OPERATE AS A CLASS "B" CONTRACT)	ORDER GRANTING TEMPORARY AUTHORITY
CARRIER BY MOTOR VEHICLE.)	

July 1, 1971

The above-entitled application under CRS 1963, 115-6-20 (1),
being under consideration, and

It appearing, That there is an immediate and urgent need for the
motor carrier service described in the appendix attached hereto, and that
there is no carrier service available capable of meeting such need;

It is ordered, That Applicant be, and is hereby, granted
temporary authority, conditioned upon full compliance with all applicable
statutory and Commission requirements, rules and regulations, to engage
in the business of transportation by motor vehicle to the extent and in
the manner set forth in the appendix attached hereto.

It is further ordered, That the service provided for in this
order shall not be commenced until all requirements have been met and
Applicant has received notice in writing from the Commission that compliance
has been effected and service may be instituted.

It is further ordered, That upon the authority herein granted
becoming effective, failure of the Applicant to maintain compliance with
statutory and Commission requirements shall constitute sufficient grounds
for suspension, change or revocation of the said authority.

It is further ordered, That if Applicant fails to comply with all
applicable statutory and Commission requirements, rules and regulations

within fifteen (15) days from the date hereof, this Order shall be of no further force and effect.

It is further ordered, That the authority herein granted shall create no presumption that corresponding permanent authority will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 1st day of July, 1971.
hbp

(Decision No. 78090)
July 1, 1971

APPENDIX

Application No. 25057-PP-TA

Jerald David Brandt
Box 524
Granby, Colorado

By Order of the Commission which this appendix is a part hereof, entered under the name and number shown above, Applicant, upon compliance with the conditions set forth therein and after receipt of notice in writing from the Commission that said conditions have been met, is authorized to engage in the business of transportation by motor vehicle as follows:

TIME FOR WHICH TEMPORARY AUTHORITY IS GRANTED - 180 days or until such time as the decision of the Commission on the corresponding permanent application of the Applicant becomes final, whichever occurs first.

TYPE OF CARRIER - Contract

SERVICE AUTHORIZED:

Temporary authority to operate as a class "B" contract carrier by motor vehicle with authority as follows:

"Transportation of

- (1) Logs, poles and timber products

From forests and sawmills, places of storage and loading points within a radius of one hundred (100) miles of said forests;

- (2) Rough lumber

From sawmills within a one hundred (100) mile radius of forests to markets in the State of Colorado.

RESTRICTION: This Permit is restricted against town-to-town service."

(Decision No. 78091)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
CONSTRUCTION SPECIALTIES COMPANY
2625 Walnut Street
Denver, Colorado 80205

AUTHORITY NO. M 4675
CASE NO. 7094-M-Ins.

July 1, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On June 28, 1971, in the above-entitled Case, the Commission entered its Order revoking the above authority for failure to maintain effective insurance on file with the Commission.

The records of the Commission now disclose that proper insurance filing has been made.

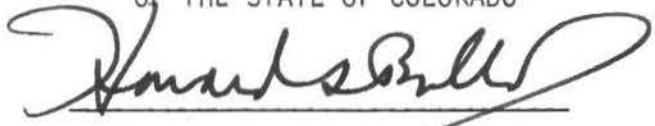


The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

ORDER

THE COMMISSION ORDERS:

That the herein 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 1st day of July, 1971

(Decision No. 78092)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)

CHARLES MONDRAGON AND CHARLES)
MONDRAGON, JR. DBA)
THE SAN LUIS COMPANY)
Box 357)
San Luis, Colorado 81152)

AUTHORITY NO. M 12272

CASE NO. 7129-M-Ins.

July 1, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On June 28, 1971 , in the above-entitled Case, the Commission entered its Order revoking the above authority for failure to maintain effective insurance on file with the Commission.

The records of the Commission now disclose that proper insurance filing has been made.

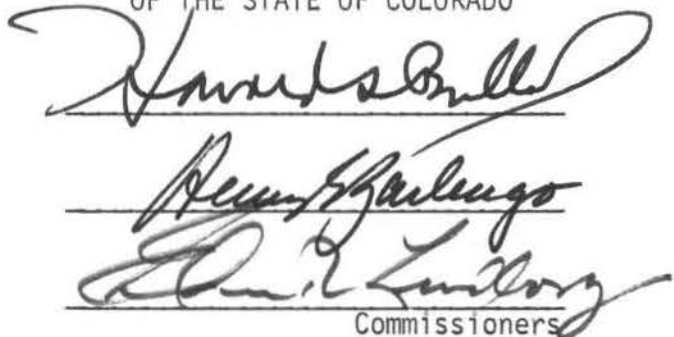
The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

O R D E R

THE COMMISSION ORDERS:

That the herein 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 1st day of July, 1971

(Decision No. 78093)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RICHARD C. LAUCH, DOING BUSINESS AS)
"DIAMOND TRUCKING," P. O. BOX 163,)
SEATTLE HEIGHTS, WASHINGTON, FOR)
TEMPORARY AUTHORITY TO OPERATE AS A)
CLASS "B" CONTRACT CARRIER BY MOTOR)
VEHICLE.)

APPLICATION NO. 25068-PP-TA
ORDER GRANTING TEMPORARY AUTHORITY

- - - - -
July 1, 1971
- - - - -

The above-entitled application under CRS 1963, 115-6-20 (1),
being under consideration, and

It appearing, That there is an immediate and urgent need for
the motor carrier service described in the appendix attached hereto, and
that there is no carrier service available capable of meeting such need;

It is ordered, That Applicant be, and is hereby, granted
temporary authority, conditioned upon full compliance with all applicable
statutory and Commission requirements, rules and regulations, to engage
in the business of transportation by motor vehicle to the extent and in
the manner set forth in the appendix attached hereto.

It is further ordered, That the service provided for in this
order shall not be commenced until all requirements have been met and
Applicant has received notice in writing from the Commission that
compliance has been effected and service may be instituted.

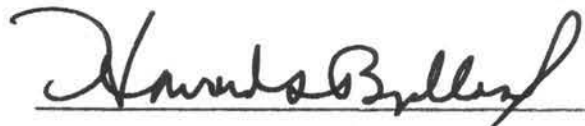


It is further ordered, That upon the authority herein granted
becoming effective, failure of the Applicant to maintain compliance
with statutory and Commission requirements shall constitute sufficient
grounds for suspension, change or revocation of the said authority.

It is further ordered, That if Applicant fails to comply
with all applicable statutory and Commission requirements, rules and

regulations within fifteen (15) days from the date hereof, this Order shall be of no further force and effect.

It is further ordered, That the authority herein granted shall create no presumption that corresponding permanent authority will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 1st day of July, 1971.
hbp

(Decision No. 78093)
July 1, 1971

APPENDIX

Application No. 25068-PP-TA

Richard C. Lauch
Doing Business As
Diamond Trucking
P. O. Box 163
Seattle Heights, Washington

By Order of the Commission which this appendix is a part hereof, entered under the name and number shown above, Applicant, upon compliance with the conditions set forth therein and after receipt of notice in writing from the Commission that said conditions have been met, is authorized to engage in the business of transportation by motor vehicle as follows:

TIME FOR WHICH TEMPORARY AUTHORITY IS GRANTED - 165 days or until such time as the decision of the Commission on the corresponding permanent application of the Applicant becomes final, whichever occurs first.

TYPE OF CARRIER - Contract

SERVICE AUTHORIZED:

Temporary authority to operate as a class "B" contract carrier by motor vehicle with authority as follows:

"Transportation of

- (1) Sand, gravel and other road-surfacing materials used in the construction of roads and highways

From pits and supply points in the State of Colorado to road jobs, mixer and processing plants within a radius of fifty (50) miles of said pits and supply points;

- (2) Sand and gravel

From pits and supply points in the State of Colorado to railroad loading points and to homes and small construction jobs within a radius of fifty (50) miles of said pits and supply points;

- (3) Sand, gravel, dirt, stone and refuse

From and to building construction jobs, to and from points within a radius of fifty (50) miles of said jobs;

(4) Insulrock

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

RESTRICTION: This temporary authority is restricted against the use of tank vehicles when transporting road-surfacing materials."

(Decision No. 78094)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	APPLICATION NO. 25075-PP
JAMES ROGER CRISPIN, 4815 N. 26TH)	
ST., BOULDER, COLORADO, FOR)	ORDER OF THE COMMISSION
AUTHORITY TO OPERATE AS A CLASS "B")	
CONTRACT CARRIER BY MOTOR VEHICLE.)	

- - - - -
July 2, 1971
- - - - -

It appearing, That by Order of the Commission dated June 23, 1971, notice of the filing of the above-entitled application was given to all interested persons, firms and corporations pursuant to CRS 1963, 115-6-8 (2);

It further appearing, That no protest, objection or petition to intervene or otherwise participate in the proceeding has been filed by any person within the time prescribed by the Commission in said Order, and that the herein proceeding is therefore noncontested and unopposed;

It further appearing, That pursuant to CRS 1963, 115-6-9 (5), the herein matter is one which may properly be determined without the necessity of a formal oral hearing and that the taking of evidence in this proceeding should be by reference to the verified application as filed with the Commission together with such additional information or data as may have been required of Applicant in connection with said filing, and the files and records of the Commission;

And it further appearing, That the evidence thus submitted amply warrants the grant of authority as hereinafter ordered;

Wherefore, and good cause appearing, therefor:

We find, That there is a present and special need for Applicant's transportation services as hereinafter ordered;

We further find, That it does not appear that the grant of authority as hereinafter ordered will impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes;

And we further find, That Applicant is fit, willing and able properly to perform the service as hereinafter granted and to conform to the applicable statutory requirements and the Commission's rules and regulations thereunder, and that an appropriate order should be entered; and

It is ordered, That James Roger Crispin, 4815 N. 26th St., Boulder, Colorado, be, and is hereby, authorized to operate as a class "B" contract carrier by motor vehicle for hire for the following:

"Transportation of

- (1) Sand, gravel and other road-surfacing materials used in the construction of roads and highways

From pits and supply points in the State of Colorado to road jobs, mixer and processing plants within a radius of seventy-five (75) miles of said pits and supply points;

- (2) 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 seventy-five (75) miles of said pits and supply points;

- (3) Sand, gravel, dirt, stone and refuse

From and to building construction jobs, to and from points within a radius of seventy-five (75) miles of said jobs;

(4) Insulrock

From pits and supply points in the State of Colorado to roofing jobs within a radius of seventy-five (75) miles of said pits and supply points;

RESTRICTION: This Permit is restricted against the use of tank vehicles when transporting road-surfacing materials."

and this Order shall be deemed to be, and be, a PERMIT therefor.

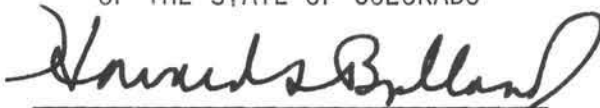
It is further ordered, That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this Permit as deemed advisable.


It is further ordered, That this Order is the Permit herein provided for, but it shall not become effective until Applicant has filed a statement of customers, the necessary tariffs, required insurance, and has secured authority sheets.


It is further ordered, That the right of Applicant to operate hereunder shall depend upon compliance with all present and future laws and rules and regulations of the Commission.

And it is further ordered, That this Order shall become effective twenty-one days from the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners

Dated at Denver, Colorado,
this 2nd day of July, 1971.

js

(Decision No. 78095)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	APPLICATION NO. 25073-PP
C. E. HAMILTON AND PETE HAMILTON,)	
P. O. BOX 555, RANGELY, COLORADO,)	ORDER OF THE COMMISSION
FOR AUTHORITY TO OPERATE AS A CLASS)	
"B" CONTRACT CARRIER BY MOTOR)	
VEHICLE.)	

- - - - -
July 2, 1971
- - - - -

It appearing, That by Order of the Commission dated June 23, 1971, notice of the filing of the above-entitled application was given to all interested persons, firms and corporations pursuant to CRS 1963, 115-6-8 (2);

It further appearing, That no protest, objection or petition to intervene or otherwise participate in the proceeding has been filed by any person within the time prescribed by the Commission in said Order, and that the herein proceeding is therefore noncontested and unopposed;

It further appearing, That pursuant to CRS 1963, 115-6-9 (5), the herein matter is one which may properly be determined without the necessity of a formal oral hearing and that the taking of evidence in this proceeding should be by reference to the verified application as filed with the Commission together with such additional information or data as may have been required of Applicants in connection with said filing, and the files and records of the Commission;

And it further appearing, That the evidence thus submitted amply warrants the grant of authority as hereinafter ordered;

Wherefore, and good cause appearing, therefor:

We find, That there is a present and special need for Applicants' transportation services as hereinafter ordered;

We further find, That it does not appear that the grant of authority as hereinafter ordered will impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes;

And we further find, That Applicants are fit, willing and able properly to perform the service as hereinafter granted and to conform to the applicable statutory requirements and the Commission's rules and regulations thereunder, and that an appropriate order should be entered; and

It is ordered, That C. E. Hamilton and Pete Hamilton, P. O. Box 555, Rangely, Colorado, be, and are hereby, authorized to operate as a class "B" contract carrier by motor vehicle for hire for the following:

"Transportation of

- (1) 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 (100) miles of said pits and supply points;

- (2) 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 one hundred (100) miles of said pits and supply points;

- (3) Sand, gravel, dirt, stone and refuse

From and to building construction jobs, to and from points within a radius of one hundred (100) miles of said jobs;

(4) Insulrock

From pits and supply points in the State of Colorado to roofing jobs within a radius of one hundred (100) miles of said pits and supply points;

RESTRICTION: This Permit is restricted against the use of tank vehicles when transporting road-surfacing materials."

and this Order shall be deemed to be, and be, a PERMIT therefor.

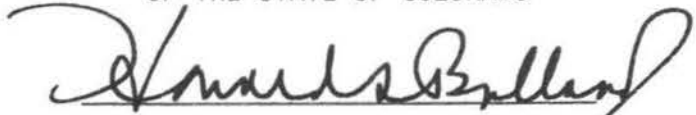
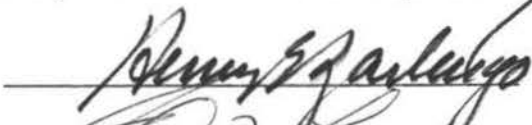

It is further ordered, That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this Permit as deemed advisable.

It is further ordered, That this Order is the Permit herein provided for, but it shall not become effective until Applicants have filed a statement of customers, the necessary tariffs, required insurance, and have secured authority sheets.

It is further ordered, That the right of Applicants to operate hereunder shall depend upon compliance with all present and future laws and rules and regulations of the Commission.

And it is further ordered, That this Order shall become effective twenty-one days from the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 2nd day of July, 1971.

js

(Decision No. 78096)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	APPLICATION NO. 25072-PP
EUGENE DOYLE CROWLEY, DOING BUSINESS)	
AS "WHEAT RIDGE ASPHALT," 3032)	ORDER OF THE COMMISSION
ARAPAHOE ST., DENVER, COLORADO, FOR)	
AUTHORITY TO OPERATE AS A CLASS "B")	
CONTRACT CARRIER BY MOTOR VEHICLE.)	

- - - - -
July 2, 1971
- - - - -

It appearing, That by Order of the Commission dated June 23, 1971, notice of the filing of the above-entitled application was given to all interested persons, firms and corporations pursuant to CRS 1963, 115-6-8 (2);

It further appearing, That no protest, objection or petition to intervene or otherwise participate in the proceeding has been filed by any person within the time prescribed by the Commission in said Order, and that the herein proceeding is therefore noncontested and unopposed;

It further appearing, That pursuant to CRS 1963, 115-6-9 (5), the herein matter is one which may properly be determined without the necessity of a formal oral hearing and that the taking of evidence in this proceeding should be by reference to the verified application as filed with the Commission together with such additional information or data as may have been required of Applicant in connection with said filing, and the files and records of the Commission;

And it further appearing, That the evidence thus submitted amply warrants the grant of authority as hereinafter ordered;

Wherefore, and good cause appearing, therefor:

We find, That there is a present and special need for Applicant's transportation services as hereinafter ordered;

We further find, That it does not appear that the grant of authority as hereinafter ordered will impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes;

And we further find, That Applicant is fit, willing and able properly to perform the service as hereinafter granted and to conform to the applicable statutory requirements and the Commission's rules and regulations thereunder, and that an appropriate order should be entered; and

It is ordered, That Eugene Doyle Crowley, doing business as "Wheat Ridge Asphalt," 3032 Arapahoe St., Denver, Colorado, be, and is hereby, authorized to operate as a class "B" contract carrier by motor vehicle for hire for the following:

"Transportation of

- (1) Sand, gravel and other road-surfacing materials used in the construction of roads and highways

From pits and supply points in the State of Colorado to road jobs, mixer and processing plants within a radius of fifty (50) miles of said pits and supply points;

- (2) Sand and gravel

From pits and supply points in the State of Colorado to railroad loading points and to homes and small construction jobs within a radius of fifty (50) miles of said pits and supply points;

- (3) Sand, gravel, dirt, stone and refuse

From and to building construction jobs, to and from points within a radius of fifty (50) miles of said jobs;

(4) Insulrock

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

RESTRICTION: This Permit is restricted against the use of tank vehicles when transporting road-surfacing materials."

and this Order shall be deemed to be, and be, a PERMIT therefor.

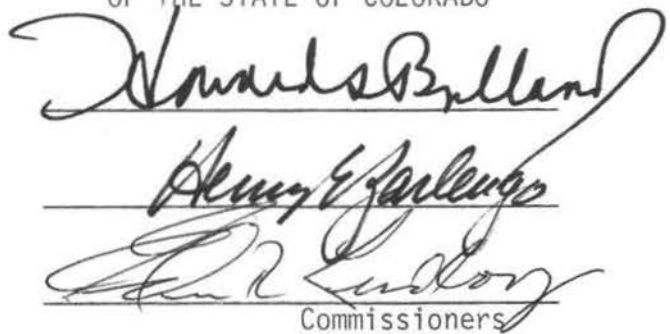
It is further ordered, That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this Permit as deemed advisable.

It is further ordered, That this Order is the Permit herein provided for, but it shall not become effective until Applicant has filed a statement of customers, the necessary tariffs, required insurance, and has secured authority sheets.

It is further ordered, That the right of Applicant to operate hereunder shall depend upon compliance with all present and future laws and rules and regulations of the Commission.

And it is further ordered, That this Order shall become effective twenty-one days from the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 2nd day of July, 1971.

js

(Decision No. 78097)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
JERALD DAVID BRANDT, BOX 524, GRANBY,)	APPLICATION NO. 25057-PP
COLORADO, FOR AUTHORITY TO OPERATE)	
AS A CLASS "B" CONTRACT CARRIER BY)	ORDER OF THE COMMISSION
MOTOR VEHICLE FOR HIRE.)	

- - - - -
July 2, 1971
- - - - -

It appearing, That by Order of the Commission dated June 23, 1971, notice of the filing of the above-entitled application was given to all interested persons, firms and corporations pursuant to CRS 1963, 115-6-8 (2);

It further appearing, That no protest, objection or petition to intervene or otherwise participate in the proceeding has been filed by any person within the time prescribed by the Commission in said Order, and that the herein proceeding is therefore noncontested and unopposed;

It further appearing, That pursuant to CRS 1963, 115-6-9 (5) the herein matter is one which may properly be determined without the necessity of a formal oral hearing and that the taking of evidence in this proceeding should be by reference to the verified application as filed with the Commission together with such additional information or data as may have been required of Applicant in connection with said filing, and the files and records of the Commission;

And it further appearing, That the evidence thus submitted amply warrants the grant of authority as hereinafter ordered;

Wherefore, and good cause appearing therefor:

We find, That there is a present and special need for Applicant's transportation services as hereinafter ordered;

We further find, That it does not appear that the grant of authority as hereinafter ordered will impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes;

And we further find, That Applicant is fit, willing and able properly to perform the service as hereinafter granted and to conform to the applicable statutory requirements and the Commission's rules and regulations thereunder, and that an appropriate order should be entered; and

It is ordered, That Jerald David Brandt, Box 524, Granby, Colorado, be, and is hereby, authorized to operate as a class "B" contract carrier by motor vehicle for hire for the following:

"Transportation of

(1) Logs, poles and timber products

From forests to sawmills, places of storage and loading points within a radius of one hundred (100) miles of said forests;

(2) Rough lumber

From sawmills within a one hundred (100) mile radius of forests to markets in the State of Colorado.

RESTRICTION: This Permit is restricted against town-to-town service."

and this Order shall be deemed to be, and be, a PERMIT therefor.

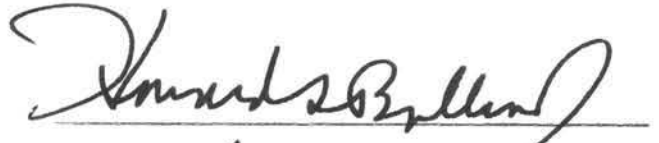

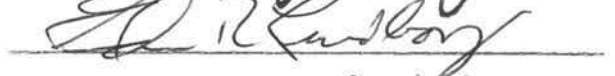
It is further ordered, That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this Permit as deemed advisable.

It is further ordered, That this Order is the Permit herein provided for, but it shall not become effective until Applicant has filed a statement of customers, the necessary tariffs, required insurance, and has secured authority sheets.

It is further ordered, That the right of Applicant to operate hereunder shall depend upon compliance with all present and future laws and rules and regulations of the Commission.

And it is further ordered, That this Order shall become
effective twenty-one days from the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 2nd day of July, 1971.
hbp

(Decision No. 78098)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION)	
OF REX SHEPHERD, 7 JENIK AVENUE,	)	APPLICATION NO. 25060-PP
SEDGWICK, COLORADO, FOR AUTHORITY)	
TO OPERATE AS A CLASS "B" CONTRACT	)	ORDER OF THE COMMISSION
CARRIER BY MOTOR VEHICLE.)	

- - - - -
July 2, 1971
- - - - -

Appearances: W. Bancroft Davis, Esq.,
Julesburg, Colorado,
for Applicant.

It appearing, That by Order of the Commission dated June 23, 1971, notice of the filing of the above-entitled application was given to all interested persons, firms and corporations pursuant to CRS 1963, 115-6-8 (2);

It further appearing, That no protest, objection or petition to intervene or otherwise participate in the proceeding has been filed by any person within the time prescribed by the Commission in said Order, and that the herein proceeding is therefore noncontested and unopposed;

It further appearing, That pursuant to CRS 1963, 115-6-9 (5), the herein matter is one which may properly be determined without the necessity of a formal oral hearing and that the taking of evidence in this proceeding should be by reference to the verified application as filed with the Commission, together with such additional information or data as may have been required of Applicant in connection with said filing, and the files and records of the Commission;

And it further appearing, That the evidence thus submitted amply warrants the grant of authority as hereinafter ordered;

Wherefore, and good cause appearing therefor:

We find, That there is a present and special need for Applicant's transportation services as hereinafter ordered;

We further find, That it does not appear that the grant of authority as hereinafter ordered will impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes;

And we further find, That Applicant is fit, willing and able properly to perform the service as hereinafter granted and to conform to the applicable statutory requirements and the Commission's rules and regulations thereunder, and that an appropriate order should be entered; and

It is ordered, That Rex Shepherd, 7 Jenik Avenue, Sedgwick, Colorado, be, and is hereby, authorized to operate as a class "B" contract carrier by motor vehicle for hire for the following:

"Transportation of

- (1) Sand, gravel and other road-surfacing materials used in the construction of roads and highways

From pits and supply points in the State of Colorado to road jobs, mixer and processing plants within a radius of fifty (50) miles of said pits and supply points;

- (2) Sand and gravel

From pits and supply points in the State of Colorado to railroad loading points and to homes and small construction jobs within a radius of fifty (50) miles of said pits and supply points;

- (3) Sand, gravel, dirt, stone and refuse

From and to building construction jobs, to and from points within a radius of fifty (50) miles of said jobs;

- (4) Insulrock

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

RESTRICTION: This Permit is restricted against the use of tank vehicles when transporting road-surfacing materials."

and this Order shall be deemed to be, and be, a PERMIT therefor.

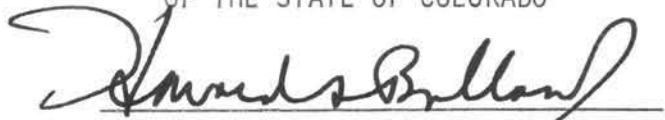
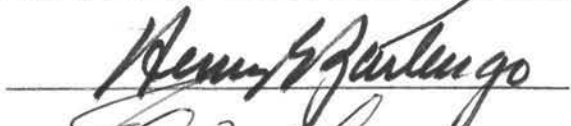

It is further ordered, That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this Permit as deemed advisable.

It is further ordered, That this Order is the Permit herein provided for, but it shall not become effective until Applicant has filed a statement of customers, the necessary tariffs, required insurance, and has secured authority sheets.

It is further ordered, That the right of Applicant to operate hereunder shall depend upon compliance with all present and future laws and rules and regulations of the Commission.

And it is further ordered, That this Order shall become effective twenty-one (21) days from the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
2nd day of July, 1971.

vjr

(Decision No. 78099)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
RALPH BREDTHAUER, DOING BUSINESS AS)	
"R. W. BREDTHAUER TRUCKING," 6500	)	APPLICATION NO. 25066-PP
EAST 88TH AVENUE, HENDERSON, COLORADO,)	
FOR AUTHORITY TO OPERATE AS A CLASS	)	ORDER OF THE COMMISSION
"B" CONTRACT CARRIER BY MOTOR VEHICLE.)	

- - - - -
July 2, 1971
- - - - -

It appearing, That by Order of the Commission dated June 23, 1971, notice of the filing of the above-entitled application was given to all interested persons, firms and corporations pursuant to CRS 1963, 115-6-8 (2);

It further appearing, That no protest, objection or petition to intervene or otherwise participate in the proceeding has been filed by any person within the time prescribed by the Commission in said Order, and that the herein proceeding is therefore noncontested and unopposed;

It further appearing, That pursuant to CRS 1963, 115-6-9 (5), the herein matter is one which may properly be determined without the necessity of a formal oral hearing and that the taking of evidence in this proceeding should be by reference to the verified application as filed with the Commission together with such additional information or data as may have been required of Applicant in connection with said filing, and the files and records of the Commission;

And it further appearing, That the evidence thus submitted amply warrants the grant of authority as hereinafter ordered;

Wherefore, and good cause appearing therefor:

We find, That there is a present and special need for Applicant's transportation services as hereinafter ordered;

We further find, That it does not appear that the grant of authority as hereinafter ordered will impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes;

And we further find, That Applicant is fit, willing and able properly to perform the service as hereinafter granted and to conform to the applicable statutory requirements and the Commission's rules and regulations thereunder, and that an appropriate order should be entered; and

It is ordered, That Ralph Bredthauer, doing business as "R. W. Bredthauer Trucking," 6500 East 88th Avenue, Henderson, Colorado, be, and is hereby, authorized to operate as a class "B" contract carrier by motor vehicle for hire for the following:

"Transportation of

- (1) Sand, gravel and other road-surfacing materials used in the construction of roads and highways

From pits and supply points in the State of Colorado to road jobs, mixer and processing plants within a radius of fifty (50) miles of said pits and supply points;

- (2) Sand and gravel

From pits and supply points in the State of Colorado to railroad loading points and to homes and small construction jobs within a radius of fifty (50) miles of said pits and supply points;

- (3) Sand, gravel, dirt, stone and refuse

From and to building construction jobs, to and from points within a radius of fifty (50) miles of said jobs;

- (4) Insulrock

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

RESTRICTION: This Permit is restricted against the use of tank vehicles when transporting road-surfacing materials."

and this Order shall be deemed to be, and be, a PERMIT therefor.

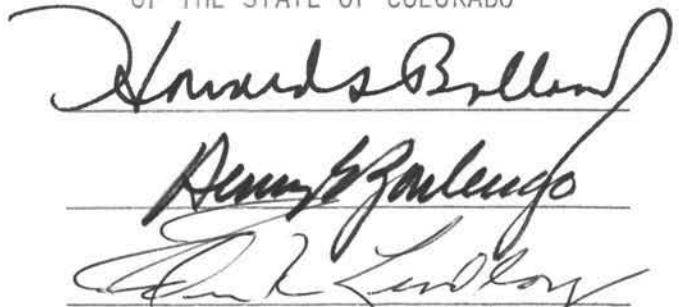
It is further ordered, That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this Permit as deemed advisable.

It is further ordered, That this Order is the Permit herein provided for, but it shall not become effective until Applicant has filed a statement of customers, the necessary tariffs, required insurance, and has secured authority sheets.

It is further ordered, That the right of Applicant to operate hereunder shall depend upon compliance with all present and future laws and rules and regulations of the Commission.

And it is further ordered, That this Order shall become effective twenty-one (21) days from the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado, this
2nd day of July, 1971.

vjr

(Decision No. 78100)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
RICHARD C. LAUCH, DOING BUSINESS AS)	
"DIAMOND TRUCKING," P. O. BOX 163,)	APPLICATION NO. 25068-PP
SEATTLE HEIGHTS, WASHINGTON, FOR)	
AUTHORITY TO OPERATE AS A CLASS "B")	ORDER OF THE COMMISSION
CONTRACT CARRIER BY MOTOR VEHICLE.)	

July 2, 1971

It appearing, That by Order of the Commission dated June 23, 1971, notice of the filing of the above-entitled application was given to all interested persons, firms and corporations pursuant to CRS 1963, 115-6-8(2);

It further appearing, That no protest, objection or petition to intervene or otherwise participate in the proceeding has been filed by any person within the time prescribed by the Commission in said Order, and that the herein proceeding is therefore noncontested and unopposed;

It further appearing, That pursuant to CRS 1963, 115-6-9(5), the herein matter is one which may properly be determined without the necessity of a formal oral hearing and that the taking of evidence in this proceeding should be by reference to the verified application as filed with the Commission together with such additional information or data as may have been required of Applicant in connection with said filing, and the files and records of the Commission;

And it further appearing, That the evidence thus submitted amply warrants the grant of authority as hereinafter ordered;

Wherefore, and good cause appearing therefor:

We find, That there is a present and special need for Applicant's transportation services as hereinafter ordered;

We further find, That it does not appear that the grant of authority as hereinafter ordered will impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes;

And we further find, That Applicant is fit, willing and able properly to perform the service as hereinafter granted and to conform to the applicable statutory requirements and the Commission's rules and regulations thereunder, and that an appropriate order should be entered; and

It is ordered, That Richard C. Lauch, doing business as "Diamond Trucking," P. O. Box 163, Seattle Heights, Washington, be, and is hereby, authorized to operate as a class "B" contract carrier by motor vehicle for hire for the following:

"Transportation of

- (1) Sand, gravel and other road-surfacing materials used in the construction of roads and highways

From pits and supply points in the State of Colorado to road jobs, mixer and processing plants within a radius of fifty (50) miles of said pits and supply points;

- (2) Sand and gravel

From pits and supply points in the State of Colorado to railroad loading points and to homes and small construction jobs within a radius of fifty (50) miles of said pits and supply points;

- (3) Sand, gravel, dirt, stone and refuse

From and to building construction jobs, to and from points within a radius of fifty (50) miles of said jobs;

- (4) Insulrock

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

RESTRICTION: This Permit is restricted against the use of tank vehicles when transporting road-surfacing materials."

and this Order shall be deemed to be, and be, a PERMIT therefor.

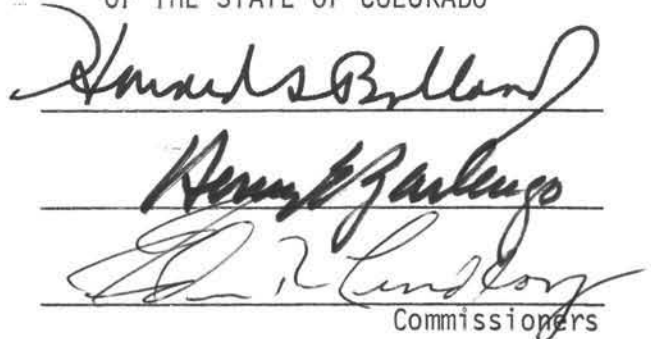
It is further ordered, That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this Permit as deemed advisable.

It is further ordered, That this Order is the Permit herein provided for, but it shall not become effective until Applicant has filed a statement of customers, the necessary tariffs, required insurance, and has secured authority sheets.

It is further ordered, That the right of Applicant to operate hereunder shall depend upon compliance with all present and future laws and rules and regulations of the Commission.

And it is further ordered, That this Order shall become effective twenty-one (21) days from the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado, this
2nd day of July, 1971.
vjr

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION)
OF THE DIVISION OF HIGHWAYS -)
STATE OF COLORADO FOR AUTHORITY)
TO CONSTRUCT, OPERATE AND MAINTAIN)
RAILROAD/HIGHWAY GRADE SEPARATION)
AT MILEPOST 379.35 AND TO CONSTRUCT,)
OPERATE AND MAINTAIN PUBLIC ROAD)
GRADE CROSSINGS AT MILEPOST 374.39)
AND MILEPOST 376.10, ALL LOCATED ON)
THE DENVER/SALT LAKE CITY MAINLINE)
OF THE DENVER AND RIO GRANDE WESTERN)
RAILROAD COMPANY AND PERTINENT TO)
NEW HIGHWAY CONSTRUCTION AS A)
FEATURE OF ROUTE 70 OF THE NATIONAL)
SYSTEM OF INTERSTATE AND DEFENSE)
HIGHWAYS, GARFIELD COUNTY, STATE OF)
COLORADO.)

APPLICATION NO. 24417

- - - - -
July 8, 1971
- - - - -

S T A T E M E N T

BY THE COMMISSION:

On June 24, 1970, the Division of Highways of the State of Colorado (Division) filed its application in accordance with the rules of this Commission seeking approval for the construction, operation and maintenance of the following:

1. A highway/railroad grade crossing (Road "M")
protected with automatic flasher signals for
a new public road and crossing at Milepost
374.39.
2. A highway/railroad grade crossing (Road "L")
protected with reflectorized crossbucks and
warning signs for a new public road and cross-
ing at Milepost 376.10.
3. A single bridge providing a highway/railroad
grade separation for the "Silt Interchange" at
Milepost 379.35.

Other explanatory material as submitted with the instant application is a series of Exhibits A, B, C, and D to show details of alignments, profile grade lines and cultural features as noted; and other data of structure clearances, dimensions, elevations, design specifications and foundation data for the new structure and crossing work.

Also received on June 24, 1970, is a conforming copy of the Agreement, dated January 5, 1970, between Division of Highways - State of Colorado and The Denver and Rio Grande Western Railroad Company pertaining to performance, maintenance, costs and other terms of the proposed work.

With reference to the instant application and other investigation data, Interstate Route 70 as involved in this application is a part of the National System of Interstate and Defense Highways. It is designated to cross the State of Colorado in an east-west direction by means of new construction work and improvement of existing highways via: Burlington, Limon, Denver, Georgetown, Dillon, Dowd, Eagle, Grand Junction and Mack, Colorado. Construction work is progressing as a series of separate projects across the state with the proposed work being located along U.S. 6 and 24 at some 15 miles west of Glenwood Springs from New Castle to Silt, Colorado.

Extending westerly from New Castle, U.S. 6 and 24 closely parallels the north side of the Rio Grande Railroad Denver-Salt Lake City mainline right-of-way. Proposed construction of the new interstate highway will be along south side of the railroad in a marginal agricultural area bordering on the Colorado River. At the south side of the river valley and along the base of the nearby mountain slopes there is also a local service road which will be used as a frontage-type facility for connection with the freeway interchanges some eight miles apart at New Castle and Silt.

In order to secure direct alignment and adequate space for the four-lane interstate freeway routing, new relocation of private access-road grade crossings and a separation structure over the rail line are proposed as follows:

<u>Railroad Milepost</u>	<u>Highway or Road</u>	<u>Item or Structure</u>	<u>Exhibit No.</u>	<u>Minimum Clearances</u>		<u>Protection</u>
				<u>Horiz.</u>	<u>Vert.</u>	
374.78	Private Road	Old access grade crossing	C	Be Closed		Crossbucks
<u>374.39</u>	Road "M"	New public grade crossing	C	28' timber		<u>Flashers</u>
376.31	Private Road	Old access grade crossing	D	Be Closed		Crossbucks
<u>376.10</u>	Road "L"	New public grade crossing	D	28" timber		<u>Crossbucks</u>
<u>379.35</u>	Silt Inter-change	Single bridge of 148.83' 30.5' deck-2 lanes Crossing above: 1 - Main track 2 - Side tracks	A B	16.0'	23.5'	<u>Crashwalls</u>
NOTE: Minimum PUC clearances are: At railroads				8.5'	22.5'	

On the interstate routing a separation of grades is required at intersections of the freeway with other roads or railroads. The proposed overpass structure has been designed in accordance with current construction standards as adopted by the American Association of State Highway Officials, accepted and approved by the U.S. Department of Transportation, the Bureau of Public Roads and the Colorado Division of Highways. Since intersections or crossings at grade are not acceptable on the interstate routes, no standards pertaining to railroad grade crossings have been specified.

With reference to the new roadways of Interstate Route 70, estimated traffic volume of 9,000 vehicles per day is anticipated in 1989.

Currently The Denver and Rio Grande Western Railroad Company operates 22 scheduled trains per day at maximum speeds of 60 miles per hour over its mainline track between Glenwood Springs and Silt.

Construction of the Silt Interchange will provide diamond-type ramps to and from the interstate route. It will include an overcrossing above the I-70 roadways and a proposed double lane bridge at 148.83 feet long over the Rio Grande mainline and two side tracks. Average daily traffic over the bridge is estimated at 350 vehicles.

Regarding traffic at the County Road grade crossings, it is to be noted that a frontage-type access road is to also be built along the south side of the new interstate route. The existing main highway U.S. 6 and 24 will remain as a local service road along the north side of the new route and Rio Grande line. The new south side frontage road will maintain access and circulation for south side properties which formerly had direct connections to the main highway by means of grade crossings over the rail line at selected locations on high ground to secure adequate track visibility. With the new service road facility, numerous private access crossings over the rail line will be eliminated and a new pattern of mixed or public traffic flow will then be utilizing the proposed new grade crossings at M.P. 374.39 (Road "M") and M.P. 376.10 (Road "L"). Meanwhile, no traffic count data has been provided to show the change in use or estimated crossing volumes.

The Division of Highways estimate of expenditures from federal and state highway funds for the proposed work is as follows:

<u>ITEM</u>	<u>MILEPOST</u>	<u>*BRIDGE COSTS</u>	<u>RAILROAD FLAGGING</u>	<u>RAILROAD FORCE ACCOUNT</u>	<u>TOTAL</u>
Silt Bridge	379.35	\$74,400	\$3,750	\$ 5,529	\$83,679
Road "M" Crossing	374.39	--	500	11,181**	11,681
Road "L" Crossing	376.10	--	100	2,261	2,361
		<hr/>	<hr/>	<hr/>	<hr/>
TOTALS		\$74,400	\$4,350	\$18,971	\$97,721

* Excludes roadways - Includes 10% for construction engineering and contingencies.

**This amount does not include the 10% of railroad participation in the amount of \$830 for the installation of protective signals at Milepost 374.39.

Meanwhile, the Commission has forwarded a copy of the instant application, together with a notice, to interested parties, to the Board of Garfield County Commissioners, and to owners of adjacent property in the area. Said notice was to ascertain if any other action should be considered within the period of thirty (30) days as designated in said notice. No adverse reply has been received by the Commission.

In consideration of the proposed crossing work, it is apparent the interstate standards for separation of grades will offer the utmost in safety control through proposed construction of the Silt Interchange overpass at M.P. 379.35 whereby the interchange roadway will cross above the I-70 Freeway and the Rio Grande rail lines.

The existing crossing to be removed at M.P. 374.78 is on a slight diagonal as a part of the County Road system. There has been no public objection to the proposed closing or change to M.P. 374.39. The new location will be some 2,000 feet to the east. Here a lower ground line, the freeway grade and adequate space will permit construction of an elevated approach road from the frontage system. Thus the new road will cross above the interstate route and meet the railroad elevation for a near level, right-angle crossing over the Rio Grande track to connect with Highway 6 and 24. Installation of standard flasher signals to give advance warning of approaching trains will be made for public protection.

In a similar manner, construction of the new Road "L" and a grade crossing at M.P. 376.10 involves closing of a private-road farm entrance at M.P. 376.31. The road is on a steep down-grade to the south and would encroach on the right-of-way for the new freeway. There has been no complaint about the proposed closing, since alternate property access will be available over the south side frontage system. Meanwhile, objections of the Commission staff were submitted to Division of Highways for additional review and consideration pertaining to limited vision of approaching trains moving at high speed and the necessity for installation of automatic flasher signals for public protection at the new crossing rather than crossbuck signing as proposed. In correspondence of June 24, 1971, Division of Highways notified the Commission as follows:

"As a consequence of your recommendation transmitted by letter dated April 23, 1971, flashing lights will be installed at the railroad crossing for Cross Road "L", M.P. 376.10 east of Silt."

After consideration of the instant proposal and in view of the conformity with interstate design standards to meet increasing traffic volumes and the further consideration of local needs, it becomes apparent that construction of the new highway and the related structures are necessary for the continued safety and convenience of the general public and the railroad operations in the area.

It is therefore the belief of the Commission that the proposed work is compatible with the public interest, and pursuant to Chapter 115-6-9(5), CRS 1963, as amended, the Commission determined to hear, and has heard, said matter forthwith, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

From the records and files herein, the Commission is informed in the matter and finds as follows:

1. That notice of the proposed structures and related road work pertaining to construction of Interstate Route 70 has been given by the Commission to interested parties, and no protest in the matter has been received.

2. That the public safety, convenience and necessity require and will be served by the new work as proposed herein.

3. That horizontal and vertical clearances with respect to the instant railroad trackage for the proposed highway overpass structure exceed the clearance requirements established by the Commission, and are therefore acceptable.

4. That the proposed grade crossings for Roads "M" and "L" are needed as public access routes in relation to the new freeway traffic pattern.

5. That in view of a limited volume of local traffic and slow vehicular speeds involved in access movements and use of the crossings, proposed installations of automatic flasher signals are acceptable for the public protection.

6. That approval for the authority being sought in the instant application should be granted by initial decision of the Commission since due and timely execution of its functions imperatively and unavoidably so requires.

O R D E R

THE COMMISSION ORDERS:

1. That Applicant, the Division of Highways - State of Colorado, be, and it hereby is, granted authority and approval for the following:

A. Installation, construction, operation and maintenance of:

- (1) Single highway bridge overpass structure
(Silt Interchange) crossing the rail line
and right-of-way of The Denver and Rio Grande
Western Railroad Company at Milepost 379.35.

(2) Public grade crossings with automatic

flasher light signal devices at:

Road "M" - M.P. 374.39 and

Road "L" - M.P. 376.10.

B. Closing and removal of semi-public grade crossings

at M.P. 374.78 and M.P. 376.31;

all as located in Garfield County and easterly from the Town of Silt, Colorado.

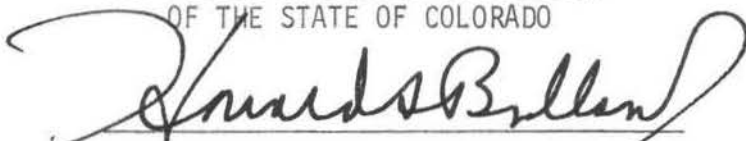
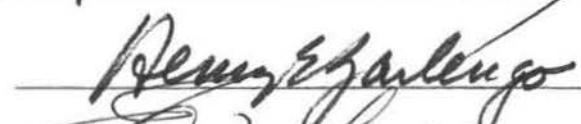
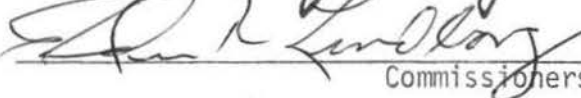
2. That the new work to be done, costs, installation, maintenance, and other changes as approved herein, shall be in accordance with the Agreement and Exhibits A, B, C, and D, all of which by reference are made a part hereof.

3. The signal devices and installation shall all be in conformance with the current bulletin of the Association of American Railroads' Joint Committee on Railroad Crossing Protection.

4. The Commission hereby retains jurisdiction to make such further order or orders as may be required in the instant matter.

5. That this Order shall become effective forthwith as the initial decision of the Commission.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
8th day of July, 1971.
vjr

(Decision No. 78102)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JOE N. ABEYTA AND ORLANDO J. ABEYTA,)
DOING BUSINESS AS "ABEYTA TRUCKING,")
SAGUACHE, COLORADO, FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY)
TO OPERATE AS A COMMON CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 24550

DECISION OF THE COMMISSION
DISMISSING APPLICATION AND
REINSTATING PERMIT NO. B-7020

- - - - -
July 2, 1971
- - - - -

Appearances: George W. Woodard, Esq.,
Alamosa, Colorado,
for Applicants;
Warren D. Braucher, Esq.,
Denver, Colorado, for
Rio Grande Motor Way, Inc.,
Protestant;
Jean Paul Jones, Esq.,
Alamosa, Colorado, for
Phillips Trucking Company
and Ashton Trucking Co.,
Protestants.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Under date of September 14, 1970, Applicants filed the above-entitled application with this Commission requesting the issuance of a certificate of public convenience and necessity to conduct operations as a common carrier by motor vehicle for hire for the transportation services as specifically set forth in said application.

The Commission assigned Docket No. 24550 to the application and gave due and proper notice of the filing.

The following common carriers filed protests in opposition to the granting of the authority as applied for: On October 7, 1970 Rio Grande Motor Way, Inc.; on October 15, 1970 Phillips Trucking Company and Ashton Trucking Co.; on October 16, 1970 Western Slope Truck Line, Inc.; on December 23, 1970 Western Slope Truck Line, Inc. withdrew its protest.

Pursuant to law, the Commission designated Christian O. Igenberg as examiner for the purpose of conducting the hearing on this application and set the herein matter for a hearing to be held in the District Court Room, Court House, Alamosa, Colorado, on Wednesday January 13, 1971, at 9 a.m. The hearing was held at the aforesaid time and place.

Eddie Hazard, rancher and county commissioner of the County of Saguache, State of Colorado; John Woodard, rancher and county commissioner of the County of Saguache, State of Colorado; Joe N. Abeyta, Applicant; Earl Davey, rancher in Saguache, Colorado; Virgil Flickinger, rancher; Ralph Curtis, Jr., rancher; Fred Reed, hay contractor; Larry Baker, rancher; James Curtis, Jr., rancher; Jack F. Curtis, rancher; Delmar Morfet, rancher; Joe Alexander, rancher; Ted Gale, rancher; and Josephine Abeyta, bookkeeper of Applicant, testified in support of the application. Robert Phillips, Secretary-Treasurer of Phillips Trucking Company; Thomas Mead, Assistant General Traffic Manager of Rio Grande Motor Way, Inc.; and Leland G. Decker, Traffic Manager for the Ashton Trucking Co. testified for Protestants.

Exhibits Nos. 1, 2, 3, 4, 5, 6, and 7 were tendered and admitted into evidence.

Official notice was taken of the following documents on file with the Commission, to wit: Applicant's financial statement and list of equipment and Protestant Rio Grande Motor Way, Inc.'s Certificate of Public Convenience and Necessity PUC No. 149.

At the conclusion of the hearing, the subject matter was taken under advisement.

On February 23, 1971, Recommended Decision No. 76954 of the Examiner was entered, granting the application and revoking Permit No. B-7020.

On June 14, 1971, Protestant Rio Grande Motor Way, Inc. filed its exceptions to the said Recommended Decision. The Commission has reconsidered the matter as required by law and upon such reconsideration finds that it should enter its Decision and Order without regard to the findings of fact and conclusions of Examiner in his Recommended Decision.

The Commission finds upon record that Applicants failed to make a showing that public convenience and necessity requires or will require the granting of the application; that the burden of proof of public convenience and necessity is upon the Applicants and such burden has not been met; and concludes that the Application should be dismissed and Permit No. B-7020 reinstated, as set forth in the following Order.


O R D E R

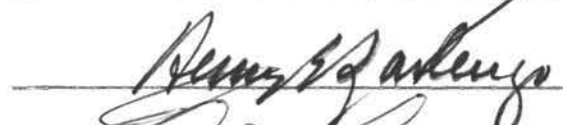
THE COMMISSION ORDERS THAT:


1. Exceptions filed by Rio Grande Motor Way, Inc., to the Recommended Decision No. 76954 be, and hereby are, granted.
2. Application No. 24550 be, and hereby is, dismissed.
3. Permit No. B-7020 be, and hereby is, reinstated contingent upon the future compliance by the permit holders with all applicable provisions of the Public Utilities Law and rules and regulations of the Commission pertaining thereto.

This Order shall be effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners

Dated at Denver, Colorado,
this 2nd day of July, 1971.
hbp

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: APPLICATION OF SAN JUAN TOURS,)
INC., TO INCREASE FARES BETWEEN)
ESTES PARK, COLORADO AND DENVER,)
COLORADO, INCLUDING STAPLETON)
INTERNATIONAL AIRPORT AS A POINT)
TO POINT SERVICE ON LESS-THAN-)
STATUTORY NOTICE)

APPLICATION NO. 25090

July 2, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On June 28, 1971, Gunnar Alenius, Assistant Vice President of San Juan Tours, Inc., P.O. Box 2378, Colorado Springs, Colorado, filed application requesting permission to publish on less than statutory notice: -

1. Increase in the per capita fare between Estes Park and Denver, from \$3.00 one way and \$6.00 round trip to \$6.00 one way and \$10.00 round trip, adjusting intermediate fares proportionately and providing a direct service to Stapleton International Airport as well as the downtown Denver Bus Terminal.
2. Cancel the existing passenger time schedule and republish as Time Schedule No. 1 (in the series of San Juan Tours, Inc.) relating to this scheduled trip only, as a preliminary step to revision and correction of all time schedules of Rocky Mountain Motor Company, Inc., doing business as Colorado Transportation Company, et al under Certificate No. 55 and 55-I.

In support of said application, Applicant states that the Town of Estes Park has not had a dependable, convenient commuter service for several years; and that Certificate No. 55 and I is being operated under temporary authority by virtue of Decision No. 77989, dated June 21, 1971, until a permanent grant of authority is issued. The town needs such service because of the increasing trend toward flying instead of driving personal cars over substantial distances. The economy is based on tourist demand for goods and services as it is a well and favorably known summer resort area. Certificate No. 55 is the only authority

under which such a service can be rendered. Applicant also states that under the current published fare the service was haphazard and inconvenient to the extent that the people of Estes Park were seriously considering applying for a new authority to provide the service and their disenchantment with the service accounts in a substantial way for the decline in net revenue as shown in the operating statement submitted in connection with the application for transfer.

The total distance to Denver on the commuter service route here involved is approximately 80 miles by way of Stapleton Field. The return trip terminating at the bus depot in Estes Park is about 74 miles. From Boulder to Stapleton Field, about 29 miles, is almost entirely on free-ways; however, from Boulder to Estes Park, about 37 miles, is mountain driving on narrow although surfaced roads, and the actual cost of operating a bus, except for the driver's wage, is almost doubled.

The greater amount of time required increases the drivers' wages proportionately over the kind of road. The average fare per passenger mile, round trip, is a little over 6.166 cents. Since past experience has shown that a bus mile revenue of \$1.00 per mile is required to break even before any possibility of a profit, it will take between 15 full-fare passengers per trip to reach this point.

That petitioner believes time schedules as previously published are confusing, unrealistic, and have no relation to need or practice and, that by undertaking a complete revision showing each route separately, emphasizing and separating line haul from sightseeing, equitable rates can be established.

The Chamber of Commerce of Estes Park, Dale S. Hill, Town Administrator and the Estes Park Trail-Gazette support the added service and feel their community needs the service immediately for this season's service.

Under the provisions of Rule 19C of the Commission's Rules of Practice and Procedure and, in view of Applicant's request and support from the people of Estes Park, the Commission finds the changes may be

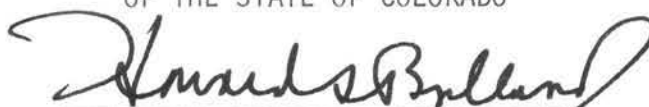
published on one day's notice as stated herein. The Applicant states that a new schedule of rates will be published in its Colorado PUC No. 1 series, canceling Colorado PUC No. 8* (*Rocky Mountain Motor Company, Inc., d/b/a Colorado Transportation Company, Series).


O R D E R


THE COMMISSION ORDERS:

1. That the Statement and Findings herein be, and the same are hereby, made a part hereof.
2. That Applicant, San Juan Tours, Inc., be, and it is hereby, authorized to publish requests numbered "1" and "2" of the Statement herein and as set forth in Appendixes "A" and "B" attached hereto.
3. That the schedules may be published, filed and posted for the general public upon not less than one day's notice. Reference shall be cited on the referred to schedules of the Decision No. 78103, dated July 2, 1971.
4. This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO






Commissioners

Dated at Denver, Colorado, this
2nd day of July, 1971. av

APPENDIX "A"

Colo. PUC No. 1
cancels
Colo. PUC No. 8*
and supplements thereto

Original Title Page

SAN JUAN TOURS, INC.

LOCAL PASSENGER TARIFF NO. 1

cancels

LOCAL PASSENGER TARIFF NO. 8*
and supplements thereto

ONE-WAY AND ROUND-TRIP PASSENGER FARES

between

ESTES PARK, COLORADO and DENVER, COLORADO

via

US HIGHWAY 36 THROUGH LYONS AND BOULDER AND TO ITS
JUNCTION WITH 1-25; 1-25 to JUNCTION WITH 1-70; THENCE ON
1-70 TO QUEBEC STREET EXIT; THENCE ON QUEBEC STREET TO
STAPLETON INTERNATIONAL AIRPORT, DENVER; THENCE TO DOWN-
TOWN BUS TERMINAL; AND REVERSE

together with

GOVERNING RULES AND REGULATIONS

*Rocky Mountain Motor Company, Inc.
dba Colorado Transportation Company series

ISSUED:

EFFECTIVE:

Issued on less than thirty days' notice by authority of The
PUBLIC UTILITIES COMMISSION of the State of Colorado, Decision
No. _____ dated July ____ 1971.

Issued By
DAVID C. PIERCE, Vice President and General Manager
P.O. Box 2378
Colorado Springs, Colorado 80901

COLO PUC NO. 1 cancels COLO PUC NO. 8*

SAN JUAN TOURS, INC.

LOCAL PASSENGER TARIFF NO. 1

Issued:

Effective:

RULE

Original Page 2

NO.

Rules and Regulations

1.

FARES:

Fares shown are adult (full) fares.

2.

CHILDRENS' FARES:

Children under five (5) years of age, not occupying a seat, will be carried free.

Children five (5) years of age and under twelve (12) years of age will be charged one-half ($\frac{1}{2}$) the adult fare rounded up to the next multiple of five (5) cents.

Children twenty (12) years of age and over will be charged full fare.

3.

DATES OF SALE:

Tickets at fares shown herein are on sale daily.

4.

LIMITS:

One-way tickets will be limited to continuous passage. Round-trip tickets will be limited to thirty (30) days from date of purchase.

5.

BAGGAGE:

Sixty (60) pounds of hand baggage will be transported free.

6.

REDEMPTION OF TICKETS:

Refund on unused and partly used tickets will be made at the General Office at Denver, Colorado. Secure refund blank from agent, fill in properly and claim will be given prompt attention. Partly used tickets will be redeemed on basis of charge for service performed at the regular rate based on the one-way fare, deducted from the amount paid for the ticket.

7.

DOGS:

"Seeing Eye" dogs accompanying passenger will be transported free. No other animals allowed.

8.

ROUTE:

This is not a sightseeing trip. There will be no pick-up at downtown Denver or Estes Park Hotels and no delivery to either location. This tariff applies from station only and is based on the most direct route between Estes Park and Denver, Colorado on the one hand, and Denver and Estes Park, Colorado on the other hand and over the route certified by the Colorado Public Utilities Commission.

COLO PUC NO. 1, cancels COLO PUC NO. 8*
SAN JUAN TOURS, INC.
LOCAL PASSENGER TARIFF NO. 1
Issued:

Effective:

Original Page 3

FARES*

*Transportation only; does not include taxes or tolls that may be applicable.

FROM TO	ESTES PARK		LYONS		BOULDER		DENVER			
	OW	RT	OW	RT	OW	RT	STAPLETON		BUS TERMINAL	
ESTES PARK, COLO.	- -	- -	2.50	4.20	4.00	6.70	6.00	10.00	6.00	10.00
LYONS, COLORADO	2.50	4.20	-	-	1.50	2.25	3.50	5.85	3.50	5.85
BOULDER, COLORADO	4.00	6.70	1.50	2.25	-	-	-	-	-	-
DENVER, COLORADO	6.00	10.00	3.50	5.85	-	-	-	-	-	-
STAPLETON FIELD	6.00	10.00	3.50	5.85	-	-	-	-	-	-
BUS TERMINAL										

THE END

APPENDIX "B"

Original Title Page

SAN JUAN TOURS, INC.

LOCAL PASSENGER TIME SCHEDULE NO. 1
cancels
LOCAL AND SIGHTSEEING TIME TABLE NO. 4*
(Issued May 20, 1970)
showing
TIMES OF ARRIVAL AND DEPARTURE
over
SCHEDULED ROUTES
BETWEEN DENVER, COLORADO AND
ESTES PARK, COLORADO; AND BETWEEN
LONGMONT, COLORADO AND ESTES PARK,
COLORADO; AND BETWEEN SAID POINTS
AND ANY OTHER AUTHORIZED POINTS
IN THE STATE OF COLORADO AND
INTERMEDIATE POINTS

*Rocky Mountain Motor Company, Inc.
dba Colorado Transportation Company series

ISSUED:

EFFECTIVE:

Issued on less than thirty days' notice by authority of The Public
Utilities Commission of the State of Colorado, Decision No. ,
dated _____ 1971.

Issued By
DAVID C. PIERCE, Vice President and General Manager
P.O. Box 2378
Colorado Springs, Colorado 80901

SAN JUAN TOURS, INC.

ISSUED:

EFFECTIVE:

Original Page 2

PASSENGER TIME SCHEDULES

Explanation

It is intended that a separate page will be issued for each separate authorized route as early as the facts and circumstances affecting such route are known. When all pages are completed, this page will be revised to show a table of contents and an explanation of letters and symbols used. Page 3 shows the arrival and departure times on the route between Estes Park, Colorado and Denver, Colorado. Page numbers after 3 are reserved for additional authorized schedules.

Letters and symbols used and their significance are:

- f. flag stop
- () around figures denoting time signifies p.m. including 12 midnight. Absence of parentheses signifies a.m. including 12 noon.

All West and North bound schedules are numbered in odd numbers.

All East and South bound schedules are numbered in even numbers.

SAN JUAN TOURS, INC.

ISSUED:

EFFECTIVE:

Original Page 3

PASSENGER TIME SCHEDULES

Time schedules between Estes Park, Colorado and Denver, Colorado via Stapleton Field

EASTBOUND Schedule 2		DAILY May 1 to October 1		WESTBOUND Schedule 1	
Time	Miles			Miles	Time
8:30	0	LV	ESTES PARK	AR	Terminates
8:45	6		Chalets		at terminal
f	26		Bus Terminal	74	(1:45)
f	43		LYONS	54	f
			BOULDER	37	f
10:15	72	AR	DENVER	LV	
10:45	80		Stapleton Int'l Airport	8	12:00
			Bus Terminal	0	11.30

NOTE: No local service between Boulder and Stapleton International Airport and Denver Bus Terminal.

Following pages are reserved for additional schedules.

THE END

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: APPLICATION TO PUBLISH ON LESS
THAN STATUTORY NOTICE A \$3.50 FARE,
ADULT ONE-WAY, FROM STAPLETON
INTERNATIONAL AIRPORT, DENVER,
COLORADO TO UNITED STATES AIR FORCE
ACADEMY, COLORADO, FOR USE ON JULY 4,
1971 ONLY.

APPLICATION NO. 25091

July 2, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On July 1, 1971, Floyd K. Roberts, Director of Sales and Agencies, Denver-Colorado Springs-Pueblo Motor Way, Inc., filed its application requested permission to publish and make effective a \$3.50 per capita adult one-way fare as stated above.

In support of this application it is stated that: --

"We understand a large number of cadets (approximately 1400 will be arriving throughout the day at Stapleton International Airport many of whom will require transportation to the Academy."

In view of the special circumstances, the Commission finds that an Order should be issued permitting the Applicant to publish and file on one day's notice, effective for one day only, July 4, 1971, the \$3.50 one-way fare, limited to a minimum of thirty (30) passengers per bus.

O R D E R

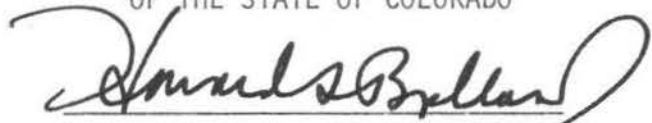
THE COMMISSION ORDERS:

1. That the Statement and Findings be, and the same are hereby, made a part hereof.
2. That Denver-Colorado Springs-Pueblo Motor Way, Inc., is permitted to publish and file on one day's notice a tariff

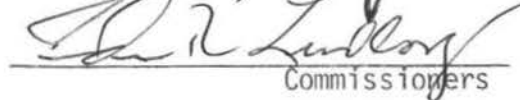
numbered in the series of Applicant as set forth in the statement hereof.

3. That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners

Dated at Denver, Colorado, this
2nd day of July, 1971. av

(Decision No. 78105)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF	)	APPLICATION NO. 24788
RAINBOW WORKS, INC., P. O. BOX 524,)	
NEDERLAND, COLORADO, FOR A CERTIFICATE	)	RECOMMENDED DECISION OF
OF PUBLIC CONVENIENCE AND NECESSITY	)	ROBERT L. PYLE, EXAMINER
TO OPERATE AS A COMMON CARRIER BY)	
MOTOR VEHICLE FOR HIRE.	)	DENYING APPLICATION

- - - - -
July 6, 1971
- - - - -

Appearances: Harold V. Carey, Nederland,
Colorado, Secretary-Treasurer
of Applicant, pro se.
George M. Graber, Esq.,
Arvada, Colorado, for
John O. Williams (Authority
in process of being transferred
to Billy F. Moore), Protestant.
Ray D. Fidler III, doing business
as "D. F. & R. Trash Service,"
Boulder, Colorado, Protestant,
pro se.
William H. Nikkel, Esq., Boulder,
Colorado, for Lee E. Cardenas,
Protestant.

PROCEDURE AND RECORD

Under date of February 4, 1971, Applicant filed the above-entitled application with this Commission requesting the issuance of a certificate of public convenience and necessity to conduct operations as a common carrier by motor vehicle for hire for the transportation service as specifically set forth in said application.

Applicant requested temporary authority for the interim period prior to the granting of permanent authority, and on March 1, 1971, was granted such temporary authority.

The Commission assigned Docket No. 24788 to the application and gave due notice of the filing of the application in accordance with the provisions of 115-6-8 (2), CRS 1963, as amended.

The following carriers filed protests to the granting of the application: on February 22, 1971, John O. Williams whose authority has since been transferred to Billy F. Moore; and on March 18, 1971, Ray D. Fidler III, doing business as "D. F. & R. Trash Service"; Lee E. Cardenas; and Waste Disposal, Inc.

Pursuant to law, the Commission assigned the application to Robert L. Pyle, Examiner, and, after due and proper notice to all interested persons, firms, or corporations, set the herein matter for a hearing to be held in the Hearing Room of the Commission, Columbine Building, 1845 Sherman Street, Denver, Colorado, on Thursday, May 13, 1971, at 10 a.m., at which time and place said matter was continued for further hearing. By Decision No. 77645, the herein matter was reset for hearing on Friday, June 4, 1971, at 10 a.m., in the County Commissioner's Hearing Room, 5th Floor Middle Building, Boulder County Courthouse, Boulder, Colorado. By Decision No. 77853, the matter was reset for further hearing to be held on Tuesday, June 29, 1971, at 10 a.m., in the County Commissioner's Hearing Room, 5th Floor Middle Building, Boulder County Courthouse, Boulder, Colorado, at which time and place, the hearing was heard to a conclusion.

Exhibit No. 7 was tendered and admitted into evidence.

The protest of Waste Disposal, Inc., was dismissed for failure to appear at the hearing and to prosecute said protest.

At the conclusion of the hearing, the subject matter was taken under advisement.

Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes (1963), as amended, Examiner Robert L. Pyle now transmits

herewith to the Commission the record and exhibits of this proceeding together with a written recommended decision which contains his findings of fact and conclusions thereon, together with the recommended order or requirement.

FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact that:

1. Applicant is a Colorado corporation originally organized by Michael B. Tennant, F. Randolph White, and Harold V. Carey, who were also its officers and directors. However, at the present time, it is operated by Michael B. Tennant, its president, who has one Jay Darlington, whom he refers to as an associate. F. Randolph White and Harold V. Carey still have a financial interest in the corporation, but, according to Mr. Tennant, are now following another occupation.

2. By this application, Applicant seeks a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for the transportation of trash, refuse, and garbage from the following-described areas to designated and approved dumps and disposal sites:

Commencing at the intersection of Colorado Highway No. 119 and Magnolia Drive, approximately one-half mile south of Nederland, Colorado; then north and east on Magnolia Drive (Boulder County Road No. 132) to its point of intersection with Boulder Canyon Drive (Colorado Highway No. 119) approximately seven miles west of Boulder; then east on Boulder Canyon Drive (Colorado Highway No. 119) to its point of intersection with Four Mile Canyon (Boulder County Road No. 118); then north and west on Four Mile Canyon to its point of intersection with Gold Run Road (Boulder County Road No. 89); then north and west on Gold Run Road to its point of intersection with Left Hand Canyon Drive (Boulder County Road No. 106); then north and east on Left Hand Canyon Drive to its point of intersection with James Canyon Drive (Boulder County Road No. 94); then west on James Canyon Drive to its point of intersection with Colorado Highway No. 72 (Peak to Peak Drive);

then south and west on Colorado Highway No. 72, as extended, to the point of origin, together with one-half mile from all the stated exterior boundaries and the Boulder Heights Subdivision located between the intersection of Boulder County Road Nos. 106 and 81 and the intersection of Six Mile Creek and Lee Hill Drive, and the Eldora area, as more fully set forth in the application.

This is an area of approximately 117 square miles north and west of the city of Boulder, Colorado.

3. The following parties protested the granting of the application: (a) Ray D. Fidler III, doing business as "D. F. & R. Trash Service," under his Certificate of Public Convenience and Necessity PUC No. 3720, which provides for the transportation of ash, trash, and refuse within the City of Boulder, Colorado, and a five-mile radius thereof; (b) Lee E. Cardenas, under his Certificate of Public Convenience and Necessity PUC No. 4317, which provides for the transportation of ash, trash, and refuse in the City of Boulder and a five-mile radius thereof; and (c) Billy F. Moore, doing business as "Blue Spruce Disposal," under his Certificate of Public Convenience and Necessity PUC No. 4743, which provides for the transportation of ash, trash, and refuse within a ten-mile radius of a point located at the intersection of Colorado Highway No. 72 and Twin Spruce Road.

4. Although these Protestants serve the more populous areas in the area included by this application, they do not serve all the areas set forth in the application.

5. Since obtaining temporary authority, Applicant has served in the areas of Eldora, Ward, Boulder Heights, Sugar Loaf, and Nederland. Its competition is primarily in Eldora, Boulder Heights, and Nederland, which, as indicated above, are the areas served by the Protestants in this proceeding. Further, Applicant would require authority to serve the three areas mentioned in order to make his operation economically feasible.

6. There is already sufficient competition in the areas of Eldora, Boulder Heights, and Nederland and to allow additional competition, such as the Applicant, in these areas, would dilute business of existing carriers to such an extent as to make it economically unfeasible for them to continue in operation and to serve all of the areas already being served by said Protestants. It is, therefore, found that the existing service is adequate to meet the particular transportation requirements sought herein and to authorize another common carrier in the area would not be economically feasible and the present or future public convenience and necessity does not require or will not require such service as that applied for herein.

7. Applicant failed to present any evidence whatsoever as to its financial condition, its knowledge of the rules and regulations of the Commission, and no exhibits were even tendered so as to substantiate these matters.

8. Applicant has one truck and one jeep, the type and style of which are unknown, and Applicant failed to show that it has sufficient or adequate equipment to perform the services contemplated by this application.

9. Applicant presented two supporting witnesses from the Sugar Loaf area, one supporting witness from the Tall Timber Subdivision, one supporting witness from Nederland, and two supporting witnesses from the Boulder Heights area. It is concluded that Applicant failed to present sufficient testimony from supporting witnesses to warrant the granting of the application applied for or any part thereof.

CONCLUSIONS ON FINDINGS OF FACT

Based on the aforesaid findings of fact, it is concluded that:

1. Application No. 24788 should be denied.
2. Pursuant to 115-6-9 (2), CRS 1963, as amended, it is recommended by the Examiner that the Commission enter the following

O R D E R

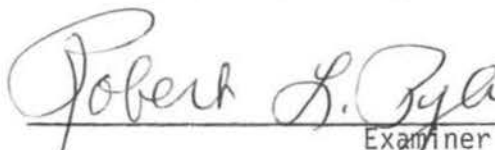
THE COMMISSION ORDERS:

1. That Application No. 24788, being an application of Rainbow Works, Inc., P. O. Box 524, Nederland, Colorado, for a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire, be, and hereby is, denied.

2. That this Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinabove set out.

3. That as provided by 115-6-9 (2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period of time as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed within such time by the Commission upon its own motion, such Recommended Decision shall become the Decision of the Commission and subject to the provisions of 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Examiner
js

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	APPLICATION NO. 24830-Transfer
SYLVIA G. STRANGE, DOING BUSINESS)	
AS "A-1 RUBBISH SERVICE," 763)	
RALEIGH STREET, DENVER, COLORADO,)	
FOR AUTHORITY TO TRANSFER PUC NO.)	RECOMMENDED DECISION OF
3711 TO JOHN DOCKERTY AND CHAS.)	ROBERT L. PYLE, EXAMINER
KROWCZYK, DOING BUSINESS AS "A-1)	
RUBBISH SERVICE," 6520 WEST)	
JEFFERSON PLACE, LAKEWOOD, COLORADO.)	DENYING APPLICATION

- - - - -
July 6, 1971
- - - - -

Appearances: David D. Mulligan, Esq.,
Denver, Colorado, for
Applicant.
William A. Wilson, Esq.,
Denver, Colorado, for
Arvada Rubbish Removal Co.,
Englewood-Littleton-Arapahoe
Rubbish Removal, Inc., Wheat
Ridge Disposal Service, Decker
Trash Disposal Corp. No. 2,
Freddies Rubbish Removal,
Best-Way Disposal, B & W
Disposal Service, Commerce
Refuse Disposal, Inc.,
Brandt Disposal, Capital
City Disposal, Ginther Rubbish
Removal, Strassheim Rubbish
Removal, and Ash & Trash
Disposal, Protestants.

PROCEDURE AND RECORD

Under date of March 2, 1971, Applicant filed the above-entitled application with this Commission for authority to transfer Certificate of Public Convenience and Necessity PUC No. 3711 to John Dockerty and Chas. Krowczyk, doing business as "A-1 Rubbish Service."

The Commission assigned Docket No. 24830-Transfer to the application and gave due notice of the filing of the application in accordance with the provisions of 115-6-8 (2), CRS 1963, as amended.

The following protests were received subsequent to the filing of the application on March 18, 1971, Arvada Rubbish Removal Co., Englewood-Littleton-Arapahoe Rubbish Removal, Inc., Wheat Ridge Disposal Service, Decker Trash Disposal Corp. No. 2, Freddie's Rubbish Removal, Best-Way Disposal, B & W Disposal Service, Commerce Refuse Disposal, Inc., Brandt Disposal, Capital City Disposal, Ginther Rubbish Removal, Strassheim Rubbish Removal, and Ash & Trash Disposal.

Pursuant to law, the Commission assigned the application to Robert L. Pyle, Examiner, and, after due and proper notice to all interested persons, firms, or corporations, set the herein matter for a hearing to be held in the Hearing Room of the Commission, Columbine Building, 1845 Sherman Street, Denver, Colorado, on Monday, June 28, 1971, at 10 a.m. The hearing was held at the said time and place.

Prior to the taking of evidence, the attorney for Protestants withdrew the protests of A & A Hauling, A & B Rubbish Removal, and Arrow Rubbish Removal to this application.

Exhibits numbered 1 through 4 were tendered and only Exhibit No. 3 was not admitted into evidence.

Official notice was taken by the Examiner of the Certificate of Insurance filed by State Farm on November 20, 1970, and of Rule 10 of the Commission's Rules of Practice and Procedure at page 126 pursuant to Decision No. 54132, Case No. 5176.

At the conclusion of the hearing, the subject matter was taken under advisement.

Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes (1963), as amended, Examiner Robert L. Pyle now transmits herewith to the Commission the record and exhibits of this proceeding together with a written recommended decision which contains his findings of fact and conclusions thereon, together with the recommended order or requirement.

FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact that:

1. Transferor is an individual, one Sylvia G. Strange, doing business as "A-1 Rubbish Service."
2. Transferor requests authority to transfer PUC No. 3711 to John Dockerty and Chas. Krowczyk, doing business as "A-1 Rubbish Service."
3. Transferor purchased Certificate of Public Convenience and Necessity PUC No. 3711 along with a customer list in 1962, which was authority to provide ash and trash service in the City and County of Denver.
4. From December 1969 to February 1971, Transferor provided service to all of her customers through the use of a motor vehicle of Active Rubbish Removal and under Certificate of Public Convenience and Necessity PUC No. 2232 owned by Active Rubbish Removal, which is identical authority to that held by Transferor.
5. Transferor purchased no trash license in the year 1970 from the City and County of Denver.
6. Transferor sold 275 of her 300 customers to Active Rubbish Removal, Inc. in August of 1970 and sold the remainder of said customers prior to filing this application to transfer PUC No. 3711.
7. In May of 1971, Transferor moved to the State of Florida.
8. At the present time, Transferor has no customers or equipment.
9. Transferor at no time notified the Commission that she had suspended operations under her Certificate of Public Convenience and Necessity PUC No. 3711 and was serving her customers with equipment owned by Active Rubbish Removal and under the Certificate of Public Convenience and Necessity of Active Rubbish Removal.
10. Rule 10 of the Commission's Rules of Practice and Procedure at page 126, Decision No. 54132, Case No. 5176, states,

"(a) No Common Carrier having received from the Commission a certificate of public convenience and necessity shall abandon operations thereunder without first making application, in writing, to the Commission, submitting evidence giving reasons for the abandonment, and securing an Order permitting such discontinuance and revoking and canceling said certificate. Applications for abandonment may or may not be set for hearing, depending upon the protests received and the circumstances involved in the abandonment.

(b) Discontinuance of service for a period of five consecutive days without written notice to and approval by the Commission shall be deemed a forfeiture of all rights secured under and by virtue of the certificate, provided, however, that the Commission may permit the resumption of operations after such five days on proper showing that the carrier was not responsible for the failure to give service."

11. The evidence presented by the Transferor with regard to the operation of her business upon which the aforementioned Findings of Fact are based clearly show that Certificate of Public Convenience and Necessity PUC No. 3711 has been intentionally abandoned by the owner thereof.

CONCLUSIONS ON FINDINGS OF FACT

Based on the aforesaid findings of fact, it is concluded that:

1. Certificate of Public Convenience and Necessity PUC No. 3711 has been abandoned.
2. Application No. 24830-Transfer should be denied.
3. Pursuant to 115-6-9 (2), CRS 1963, as amended, it is recommended by the Examiner that the Commission enter the following

O R D E R

THE COMMISSION ORDERS:

1. That Certificate of Public Convenience and Necessity PUC No. 3711 has been abandoned, and Application No. 24830-Transfer, being an application to transfer said PUC No. 3711 from Sylvia G. Strange, doing business as "A-1 Rubbish Service," 763 Raleigh Street, Denver, Colorado, to John Dockerty and Chas. Krowczyk, doing business as "A-1 Rubbish Service," 6520 West Jefferson Place, Lakewood, Colorado, be, and hereby is, denied.

2. That this Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinabove set out.

3. That as provided by 115-6-9 (2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period of time as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed within such time by the Commission upon its own motion, such Recommended Decision shall become the Decision of the Commission and subject to the provisions of 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Examiner

rw/js

(Decision No. 78107)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	APPLICATION NO. 24883-Extension
ERMON L. TYLER, DOING BUSINESS AS)	
"FOWLER TRUCK LINE," 413 MAIN STREET,)	RECOMMENDED DECISION OF
P. O. BOX 225, FOWLER, COLORADO,)	ROBERT L. PYLE, EXAMINER
81039, FOR AUTHORITY TO EXTEND)	
OPERATIONS UNDER PUC NO. 242 IN BOTH)	GRANTING APPLICATION TO EXTEND
INTRASTATE AND INTERSTATE COMMERCE.)	PUC NO. 242

- - - - -
July 7, 1971
- - - - -

Appearances: Robert S. Stauffer, Esq.,
Cheyenne, Wyoming, for
Applicant.

PROCEDURE AND RECORD

Under date of March 29, 1971, Applicant filed the above-entitled application with this Commission for authority to extend operations as a common carrier by motor vehicle for hire as specifically set forth in said application.

Applicant requested temporary authority for the interim period prior to the granting of permanent authority, and on April 12, 1971, was granted such temporary authority.

The Commission assigned Docket No. 24883-Extension to the application and gave due notice of the filing of the application in accordance with the provisions of 115-6-8 (2), CRS 1963, as amended.

On April 30, 1971, Charles McGhee, doing business as "T & W Truck Line," filed a Petition for Leave to Intervene in the herein matter. Said Petition was denied by Commission Decision No. 77576, dated May 6, 1971.

Pursuant to law, the Commission assigned the application to Robert L. Pyle, Examiner, and, after due and proper notice to all interested persons, firms, or corporations, set the herein matter for a hearing to be held in the Hearing Room of the Commission, Columbine Building, 1845 Sherman Street, Denver, Colorado, on Wednesday, June 23, 1971, at 10 a.m. The hearing was held at the aforesaid time and place.

This application was consolidated for hearing with Application No. 24884-Transfer, being a transfer proceeding involving the transfer of Certificates of Public Convenience and Necessity PUC No. 242 and PUC No. 242-I from Ermon L. Tyler, doing business as "Fowler Truck Line," to Johnie D. Thompson, doing business as "Fowler Truck Line."

Exhibit Nos. 1, 2, 3, 4, 5, 6, and 7 were tendered and admitted into evidence.

At the conclusion of the hearing, the subject matter was taken under advisement.

Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes (1963), as amended, Examiner Robert L. Pyle now transmits herewith to the Commission the record and exhibits of this proceeding together with a written recommended decision which contains his findings of fact and conclusions thereon, together with the recommended order or requirement.

FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact that:

1. Applicant is an individual, doing business as "Fowler Truck Line."

2. Applicant presently holds authority from this Commission under Certificates of Public Convenience and Necessity PUC No. 242 and PUC No. 242-I, which reads as follows:

"Transportation of

Freight, on schedule,

Between Fowler and Pueblo, Colorado;

Transportation of

Freight, on call and demand

Between points within the Town of Fowler, and from and to points within a fifteen-mile radius of Fowler, to and from Fowler;

Freight,

Between points within a fifteen-mile radius of Fowler, to and from points in the State of Colorado;

Subject to the following conditions:

- (a) Applicant shall not operate to and from any intermediate point between Fowler and Pueblo, except to points within a fifteen-mile radius of Fowler, Colorado;
- (b) For the transportation authorized of all commodities other than household goods between points served singly or in combination by scheduled carriers, applicant shall charge rates as much as twenty percent higher in all cases than those rates charged by scheduled carriers;
- (c) Applicant shall not establish a branch office or have an agent employed in any other town or city than the Town of Fowler for the purpose of developing business.

Authority to use equipment in the State of Colorado as a Common Interstate Carrier 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."

3. The authority to which extension is hereby sought, PUC No. 242, has been continually operated in the past and is presently in good standing with the Commission.

4. By this application, Applicant seeks to extend the authority under PUC No. 242 so as to provide for the

"transportation of general commodities, on schedule, between Pueblo, Colorado, and Manzanola, Colorado."

5. Applicant further asks that the Interstate Commerce Commission be notified of the authority issued hereby and notice of this application was published in the Federal Register under date of April 20, 1971.

6. The extension applied for herein is compatible with and does not conflict with or duplicate the authority held by Applicant.

7. Applicant has, for many years, engaged in motor carrier business within the State of Colorado handling both intrastate and interstate shipments and, by reason thereof, is fully acquainted with the rules and regulations of this Commission as well as the Interstate Commerce Commission. Applicant owns sufficient equipment, has sufficient experience and net worth, all of which are ample and suitable for the operation of the authority applied for herein. Further, Applicant agrees to abide by said rules and regulations, as well as the safety requirements, and will make adequate provision for insurance.

8. No other scheduled carrier presently serves Manzanola from Pueblo and there is sufficient transportation business in Manzanola to warrant such scheduled service as Applicant has herein applied for.

9. The present or future public convenience and necessity requires or will require the granting of the authority as hereinafter set forth.

10. The grant of the authority, as hereinafter set forth, will be in the public interest.

11. This Certificate of Public Convenience and Necessity, as outlined in the Order, infra, is being issued after notice to interested persons, through publication in the Federal Register of April 20, 1971, of the filing of the application and of the desire of the Applicant also to engage in the transportation in interstate and foreign commerce within the limits of the intrastate authority granted, and reasonable opportunity having been afforded interested persons to be heard, and the question of the proposed interstate and foreign operations having been duly considered, it is hereby found and made part of this Order that public convenience and necessity require that Applicant also be authorized to engage in operations in interstate and foreign commerce within limits which do not exceed, and which shall identically correspond to, both as to commodities to be transported and points and territory to be served, the scope of the intrastate operations hereinabove authorized to be conducted.

CONCLUSIONS ON FINDINGS OF FACT

Based on the aforesaid findings of fact, it is concluded that:

1. The authority sought by Applicant should be granted as hereinafter set forth.
2. Pursuant to 115-6-9 (2), CRS 1963, as amended, it is recommended by the Examiner that the Commission enter the following

O R D E R

THE COMMISSION ORDERS:

1. That Ermon L. Tyler, doing business as "Fowler Truck Line," P. O. Box 225, Fowler, Colorado, be, and hereby is, authorized to extend operations under Certificate of Public Convenience and Necessity PUC No. 242 as follows:

"transportation of general commodities, on schedule, between Pueblo, Colorado, and Manzanola, Colorado."

2. That henceforth the full and complete authority under Certificates of Public Convenience and Necessity PUC No. 242 and PUC No. 242-I shall read and be as follows, to-wit:

(1) Transportation -- on schedule -- of

General commodities

(a) between Pueblo, Colorado, and Fowler, Colorado; and

(b) between Pueblo, Colorado, and Manzanola, Colorado.

(2) Transportation -- on call and demand -- of

General commodities

Between points located within a fifteen (15) mile radius of Fowler, Colorado, and to and from said points, from and to all points in the State of Colorado.

RESTRICTIONS:

Item (2) of this Certificate is restricted as follows:

- (a) No transportation shall be rendered to and from any intermediate points between Fowler, Colorado, and Pueblo, Colorado, except those points which are located within a fifteen (15) mile radius of Fowler, Colorado;
- (b) When transporting commodities other than household goods between points served singly or in combination by scheduled carriers, rates shall be at least twenty percent higher in all cases than those rates charged by scheduled carriers; and
- (c) No branch office shall be established and no agent shall be employed in any town or city other than the Town of Fowler for the purpose of developing business.

Authority to use equipment in the State of Colorado as a Common Interstate Carrier 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.

3. That Applicant shall file tariffs of rates, rules, and regulations as required by the rules and regulations of this Commission within twenty (20) days from date.

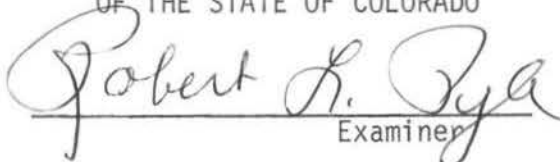
4. That Applicant shall operate his carrier system in accordance with this Order, except when prevented by an Act of God, the public enemy, or extreme conditions.

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

6. That this Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinabove set out.

7. That as provided by 115-6-9 (2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period of time as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed within such time by the Commission upon its own motion, such Recommended Decision shall become the Decision of the Commission and subject to the provisions of 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Examiner

js

(Decision No. 78108)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	APPLICATION NO. 24884-Transfer
ERMON L. TYLER, DOING BUSINESS AS)	
"FOWLER TRUCK LINE," P. O. BOX 225,)	RECOMMENDED DECISION OF
FOWLER, COLORADO, FOR AUTHORITY TO)	ROBERT L. PYLE, EXAMINER
TRANSFER PUC NO. 242 AND PUC NO.)	
242-I TO JOHNIE D. THOMPSON, DOING)	GRANTING APPLICATION TO TRANSFER
BUSINESS AS "FOWLER TRUCK LINE,")	PUC NO. 242 AND PUC NO. 242-I
P. O. BOX 403, FOWLER, COLORADO.)	

- - - - -
July 7, 1971
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Appearances: Robert S. Stauffer, Esq.,
Cheyenne, Wyoming, for
Applicant

PROCEDURE AND RECORD

Under date of March 29, 1971, Applicants filed the above-entitled application with this Commission for authority to transfer Certificates of Public Convenience and Necessity PUC No. 242 and PUC No. 242-I, to operate as a common carrier by motor vehicle for hire, from Ermon L. Tyler, doing business as "Fowler Truck Line," to Johnie D. Thompson, doing business as "Fowler Truck Line."

The Commission assigned Docket No. 24884-Transfer to the application and gave due notice of the filing of the application in accordance with the provisions of 115-6-8 (2), CRS 1963, as amended.

On April 30, 1971, a protest was filed with this Commission on behalf of Charles McGhee, doing business as "T & W Truck Line."

Pursuant to law, the Commission assigned the application to Robert L. Pyle, Examiner, and, after due and proper notice to all interested persons, firms, or corporations, set the herein matter for a hearing to be held in the Hearing Room of the Commission, Columbine Building, 1845 Sherman Street, Denver, Colorado, on Wednesday, June 23, 1971, at 10 a.m. The hearing was held at the aforesaid time and place.

This application was consolidated for hearing with Application No. 24883-Extension.

The protest of Charles McGhee, doing business as "T & W Truck Line," is hereby dismissed for failure to appear at the hearing.

Exhibit Nos. 1, 2, 3, 4, 5, 6, and 7 were tendered and admitted into evidence.

At the conclusion of the hearing, the subject matter was taken under advisement.

Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes (1963), as amended, Examiner Robert L. Pyle now transmits herewith to the Commission the record and exhibits of this proceeding together with the written recommended decision which contains his findings of fact and conclusions thereon, together with the recommended order or requirement.

FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact that:

1. Transferor is an individual and the present owner and operator of Certificates of Public Convenience and Necessity PUC No. 242 and PUC No. 242-I, which is the subject of this proceeding.

2. Certificates of Public Convenience and Necessity PUC No. 242 and PUC No. 242-I have been continually operated in the past and are presently in good standing with the Commission.

3. Transferee is an individual, 18 years of age, and, if this transfer is approved, will continue to operate Certificates of Public Convenience and Necessity PUC No. 242 and PUC No. 242-I under the name and style of "Fowler Truck Line."

4. Although Transferee is a minor, he grew up in a family involved in the motor carrier business and, in fact, his father has long been associated as the western manager of a large trucking concern based in Kansas City, Missouri. Further, Transferee, in his senior year of high school, prepared and submitted as a part of his classwork a rather extensive study and paper on the operation and management of a motor carrier business.

5. Transferee holds no previously granted authority from this Commission.

6. The parties have entered into an Agreement to transfer the operating authority and the consideration to be paid is fair and reasonable.

7. The Certificate is free and clear of any debts, encumbrances, or obligations. However, an encumbrance is to be placed upon the authority to secure payment of the purchase price, which encumbrance should be approved by the Commission upon the filing of the proper documents.

8. Included in the purchase price was a 1956 International 1-ton truck and a 1950 International 2-ton truck, which are sufficient for the operation of this authority.

9. Transferee has very little, if any, net worth personally. However, he has commitments from his father, his grandfather, and the local banks so as to be able financially to operate this authority to its full extent.

10. Transferee has sufficient experience and available capital, both of which are ample and suitable for the operation of the authority applied for herein.

11. Transferee is sufficiently familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, promises to abide by said rules and regulations, as well as the safety requirements of the Commission, and has or will make adequate provision for insurance.

12. If this transfer is approved, Transferee intends to and will engage in bona fide motor carrier operations under the operating rights set forth herein.

13. The granting of this transfer is compatible with the public interest.

CONCLUSIONS ON FINDINGS OF FACT

Based on the aforesaid findings of fact, it is concluded that:

1. The transfer sought by Applicants should be granted as hereinafter set forth.

2. Pursuant to 115-6-9 (2), CRS 1963, as amended, it is recommended by the Examiner that the Commission enter the following

O R D E R

THE COMMISSION ORDERS:

1. That Ermon L. Tyler, doing business as "Fowler Truck Line," P. O. Box 225, Fowler, Colorado, be, and hereby is, authorized to transfer all right, title, and interest in and to Certificates of Public Convenience and Necessity PUC No. 242 and PUC No. 242-I to Johnnie D. Thompson, doing business as "Fowler Truck Line," subject to encumbrances, if any, against said authority.

2. That henceforth the full and complete authority under Certificates of Public Convenience and Necessity PUC No. 242 and PUC No. 242-I shall read and be as follows, to-wit:

(1) Transportation -- on schedule -- of
General commodities

- (a) between Pueblo, Colorado, and Fowler, Colorado; and
- (b) between Pueblo, Colorado, and Manzanola, Colorado.

(2) Transportation -- on call and demand -- of

General commodities

between points located within a fifteen (15) mile radius of Fowler, Colorado, and to and from said points, from and to all points in the State of Colorado.

RESTRICTIONS:

Item (2) of this Certificate is restricted as follows:

- (a) No transportation shall be rendered to and from any intermediate points between Fowler, Colorado, and Pueblo, Colorado, except those points which are located within a fifteen (15) mile radius of Fowler, Colorado;
- (b) When transporting commodities other than household goods between points served singly or in combination by scheduled carriers, rates shall be at least twenty percent higher in all cases than those rates charged by scheduled carriers; and
- (c) No branch office shall be established and no agent shall be employed in any town or city other than the Town of Fowler for the purpose of developing business.

Authority to use equipment in the State of Colorado as a Common Interstate Carrier 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.

3. That the encumbrance to be placed upon the authority be, and hereby is, approved upon the filing of the proper documents.

4. That said transfer shall become effective only if and when, but not before, said Transferor and Transferee, in writing, have advised the Commission that said Certificate has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of this Order

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

5. That the common carrier 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.

6. That the right of Transferee to operate under this Order shall depend upon a prior filing of an annual report by Transferor herein, covering the operations under the aforesaid Certificate up to the time of transfer of said Certificate.

7. That this Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinabove set out.

8. That as provided by 115-6-9 (2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period of time as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed within such time by the Commission upon its own motion, such Recommended Decision shall become the Decision of the Commission and subject to the provisions of 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Examiner
js

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
GERALD E. WILLHOITE, 2117 CIMARRON,)	
LA JUNTA, COLORADO, FOR AUTHORITY)	APPLICATION NO. 25011-PP-Transfer
TO TRANSFER ALL RIGHT, TITLE, AND)	
INTEREST IN AND TO CONTRACT CARRIER)	ORDER OF THE COMMISSION
PERMIT NO. B-7052 TO JIMMIE EUGENE)	
STERLING, R. R. 1, BOX 79, LA JUNTA,)	
COLORADO.)	

- - - - -
July 7, 1971
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It appearing, That by Order of the Commission dated May 26, 1971, notice of the filing of the above-entitled application was given to all interested persons, firms and corporations pursuant to CRS 1963, 115-6-8 (2);

It further appearing, That no protest, objection or petition to intervene or otherwise participate in the proceeding has been filed by any person within the time prescribed by the Commission in said Order, and that the herein proceeding is therefore noncontested and unopposed;

It further appearing, That pursuant to CRS 1963, 115-6-9 (5) the herein matter is one which may properly be determined without the necessity of a formal oral hearing and that the taking of evidence in this proceeding should be by reference to the verified application as filed with the Commission together with such additional information or data as may have been required of Applicants in connection with said filing, and the files and records of the Commission.

And it further appearing, That the evidence thus submitted amply warrants approval of the transfer as hereinafter ordered;

Wherefore, and good cause appearing therefor:

We find, That the financial standing of the Transferee has been satisfactorily established and that the transfer is compatible with the public interest;

And we further find, That Transferee is fit, willing and able properly to engage in bona fide motor carrier operations under the authority to be transferred and to conform to the applicable statutory requirements and the Commission's rules and regulations thereunder, and that an appropriate order should be entered; and

It is ordered, That Gerald E. Willhoite, 2117 Cimarron, La Junta, Colorado, be, and hereby is, authorized to transfer all right, title and interest in and to Contract Carrier Permit No. B-7052 to Jimmie Eugene Sterling, R. R. 1, Box 79, La Junta, Colorado, subject to encumbrances, if any, against said authority approved by this Commission.

It is further ordered, That henceforth the full and complete authority under Contract Carrier Permit No. B-7052 shall read and be as follows, to wit:

"Transportation of

General commodities

Between points in La Junta, Colorado, and a sixty-five (65) mile radius thereof.

RESTRICTION: This Permit is restricted to service for only Montgomery Ward & Company at La Junta, Colorado."

It is further ordered, 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 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

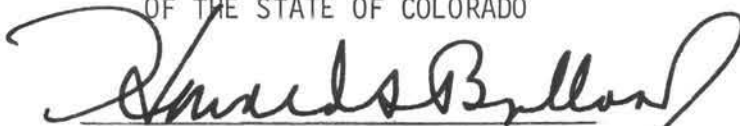
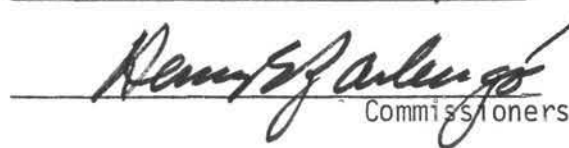
be extended by the Commission, upon proper application.

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

It is further ordered, That the right of Transferee to operate under this Order shall be dependent upon 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.

And it is further ordered, That this Order shall become effective twenty-one days from the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

COMMISSIONER EDWIN R. LUNDBORG
NECESSARILY ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 7th day of July, 1971.
hj

(Decision No. 78110)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
RAY STURBAUM AND STANLEY STURBAUM,)	
DOING BUSINESS AS "STURBAUM CONSTRUC-)	
TION CO.," 225 MAIN STREET, CANON CITY,	)	APPLICATION NO. 25013-PP-Transfer
COLORADO, FOR AUTHORITY TO TRANSFER ALL)	
RIGHT, TITLE, AND INTEREST IN AND TO	)	ORDER OF THE COMMISSION
CONTRACT CARRIER PERMIT NO. B-6027 TO)	
STANLEY STURBAUM, DOING BUSINESS AS)	
"STURBAUM CONSTRUCTION CO.," 225 MAIN)	
STREET, CANON CITY, COLORADO.)	

July 7, 1971

It appearing, That by Order of the Commission dated May 26, 1971, notice of the filing of the above-entitled application was given to all interested persons, firms and corporations pursuant to CRS 1963, 115-6-8 (2);

It further appearing, That no protest, objection or petition to intervene or otherwise participate in the proceeding has been filed by any person within the time prescribed by the Commission in said Order, and that the herein proceeding is therefore noncontested and unopposed;

It further appearing, That pursuant to CRS 1963, 115-6-9 (5) the herein matter is one which may properly be determined without the necessity of a formal oral hearing and that the taking of evidence in this proceeding should be by reference to the verified application as filed with the Commission together with such additional information or data as may have been required of Applicants in connection with said filing, and the files and records of the Commission.

And it further appearing, That the evidence thus submitted amply warrants approval of the transfer as hereinafter ordered;

Wherefore, and good cause appearing therefor:

We find, That the financial standing of the Transferee has been satisfactorily established and that the transfer is compatible with the public interest;

And we further find, That Transferee is fit, willing and able properly to engage in bona fide motor carrier operations under the authority to be transferred and to conform to the applicable statutory requirements and the Commission's rules and regulations thereunder, and that an appropriate order should be entered; and

It is ordered, That Ray Sturbaum and Stanley Sturbaum, doing business as "Sturbaum Construction Co.," 225 Main Street, Canon City, Colorado, be, and hereby are, authorized to transfer all right, title and interest in and to Contract Carrier Permit No. B-6027 to Stanley Sturbaum, doing business as "Sturbaum Construction Co.," 225 Main Street, Canon City, Colorado, subject to encumbrances, if any, against said authority approved by this Commission.

It is further ordered, That henceforth the full and complete authority under Contract Carrier Permit No. B-6027 shall read and be as follows, to wit:

"Transportation of

Dolomite

From quarry west of Canon City to loading spur of The Denver and Rio Grande Western Railroad Company in Canon City, Colorado, (distance about 1.8 mile)."


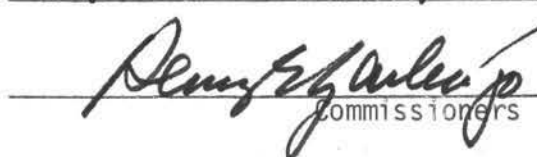
It is further ordered, That said transfer shall become effective only if and when, but not before, said Transferors and Transferee, in writing, have advised the Commission that said Permit has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions 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 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.

It is further ordered, That 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.

It is further ordered, That the right of Transferee to operate under this Order shall be dependent upon 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.

And it is further ordered, That this Order shall become effective twenty-one days from the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

COMMISSIONER EDWIN R. LUNDBORG
NECESSARILY ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 7th day of July, 1971.
hj

(Decision No. 78111)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)

WILLIE SANCHEZ)
506 South Beech)
Cortez, Colorado 81321)

AUTHORITY NO. M 11779

CASE NO. 7126-M-Ins.

July 6, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On June 28, 1971 , in the above-entitled Case, the Commission entered its Order revoking the above authority for failure to maintain effective insurance on file with the Commission.

The records of the Commission now disclose that proper insurance filing has been made.

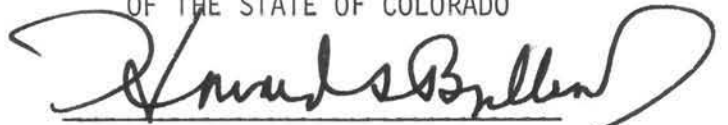
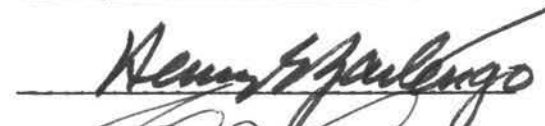
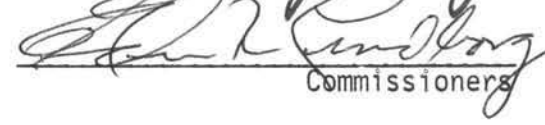
The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

O R D E R

THE COMMISSION ORDERS:

That the herein 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 6th day of July, 1971

(Decision No. 78112)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	APPLICATION NO. 24825
H G CORPORATION, A COLORADO CORPO-)	
RATION, DOING BUSINESS AS "GLENWOOD)	VACATING AND DISMISSING APPLICATION
SPRINGS TAXI CO.," P. O. BOX 1947,)	
ASPEN, COLORADO, FOR A CERTIFICATE)	
OF PUBLIC CONVENIENCE AND NECESSITY)	
TO OPERATE AS A COMMON CARRIER BY)	
MOTOR VEHICLE FOR HIRE.)	

- - - - -
July 7, 1971
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STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On March 2, 1971, H G Corporation, a Colorado Corporation, doing business as "Glenwood Springs Taxi Co.," filed the above-captioned application seeking a Certificate of Public Convenience and Necessity. On March 3, 1971, the Commission sent Notice of Applications Filed to all interested persons, firms or corporations. On June 2, 1971, the above-captioned application was set for hearing on Friday, July 9, 1971, at 9:00 a.m. at District Court, Court House, Aspen, Colorado.

On July 2, 1971, Applicant's attorney, Truman A. Stockton, Jr., requested by letter that the Commission dismiss the application and vacate the hearing thereon.

Considering the letter received from Applicant's attorney, it appears proper to the Commission that the hearing scheduled for July 9, 1971, be vacated and application dismissed.

O R D E R

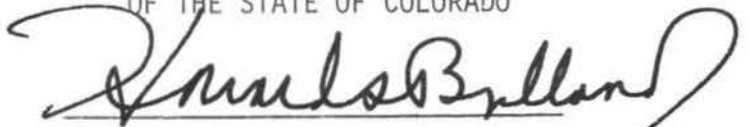
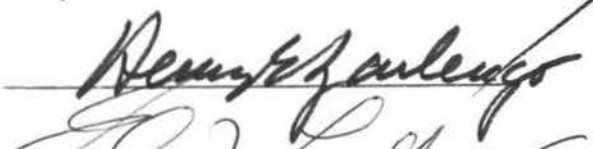

THE COMMISSION ORDERS THAT:

1. The hearing scheduled on Application No. 24825 for Friday, July 9, 1971, at 9:00 a.m. at District Court, Court House, Aspen, Colorado, be vacated.

2. Application No. 24825 be, and hereby is, dismissed.

This Order shall be effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 7th day of July, 1971.
js

(Decision No. 78113)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	APPLICATION NO. 24658
JAMES R. COLBURN, DOING BUSINESS AS)	
"A-1 DISPOSAL SERVICE," BOX 52,)	ORDER GRANTING EXTENSION OF TIME
KREMMLING, COLORADO, FOR A CERTI-)	FOR FILING EXCEPTIONS
FICATE OF PUBLIC CONVENIENCE AND)	
NECESSITY TO OPERATE AS A COMMON)	
CARRIER BY MOTOR VEHICLE FOR HIRE.)	

- - - - -
July 7, 1971
- - - - -

Appearances: A. H. Hitchcock, Esq.,
Denver, Colorado, for Applicant;
William A. Wilson, Esq.,
Denver, Colorado, for Grand County
Land Fill and Trash Removal, Inc.,
Protestant.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On June 23, 1971, the Recommended Decision No. 78040 of Christian O. Igenbergs, Examiner, was entered and served upon the parties. Section 115-6-9 (2), CRS 1963, as amended, provides that exceptions shall be filed within twenty (20) days after service of the Recommended Decision upon the parties or within such extended period of time as the Commission may authorize in writing.

On July 1, 1971, Protestant Grand County Land Fill and Trash Removal, Inc., by its attorney, William Andrew Wilson, filed with the Commission a Motion Requesting an Extension of Time within which to file exceptions to the Recommended Decision of the Examiner until thirty (30) days after the certification of the transcript by the reporter.

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

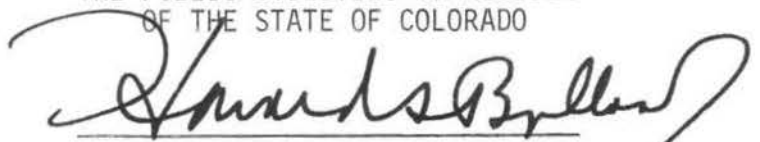

O R D E R

THE COMMISSION ORDERS THAT:

The Protestant, Grand County Land Fill and Trash Removal, Inc., be, and hereby is, granted an extension of time within which to file exceptions to the said Recommended Decision of the Examiner until thirty (30) days after the certification of the transcript of the proceedings by the official reporter.

This Order shall be effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioner

COMMISSIONER EDWIN R. LUNDBORG
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 7th day of July, 1971.

js

(Decision No. 78114)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION)
OF HENRY LINDEMANN AND DOROTHY C.)
LINDEMANN, DOING BUSINESS AS "H & L)
RUBBISH REMOVAL," 4320 SOUTH HURON,)
ENGLEWOOD, COLORADO, FOR TEMPORARY)
APPROVAL TO CONDUCT OPERATIONS UNDER)
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY PUC NO. 3742 PENDING)
THE DETERMINATION OF THE APPLICATION)
TO ACQUIRE SAID CERTIFICATE.)

APPLICATION NO. 24985-Transfer-TA
SECOND SUPPLEMENTAL ORDER

- - - - -
July 9, 1971
- - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On June 24, 1971, the Commission entered Decision No. 78046 in the above-styled application revoking temporary operating rights granted to the above-styled Applicants by Decision No. 77683 dated May 24, 1971, for failure of Applicants to comply with requirements set forth in said Decision No. 77683.

It now appears that Applicants have complied with all requirements of Decision No. 77683 and request reinstatement of temporary operating rights granted thereby.

The Commission states and finds that said request is compatible with the public interest and should be granted as set forth in the order following.

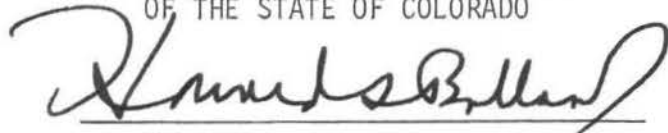
O R D E R


THE COMMISSION ORDERS:

That Decision No. 78046 dated June 24, 1971, be, and the same hereby is, vacated, set aside, and held for naught, as of said 24th day

of June, 1971, and temporary operating rights heretofore granted to Henry Lindemann and Dorothy C. Lindemann, doing business as "H & L Rubbish Removal," 4320 South Huron, Englewood, Colorado, by Decision No. 77683 dated May 24, 1971, be, and the same hereby are, restored to active status as of said date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO





Commissioners

COMMISSIONER EDWIN R. LUNDBORG NECESSARILY
ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado, this
9th day of July, 1971.

vjr

(Decision No. 78115)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
MOUNTAIN MOTORWAY, INC., 1546 MINER)	
STREET, IDAHO SPRINGS, COLORADO, FOR)	
TEMPORARY APPROVAL TO CONDUCT OPERA-)	APPLICATION NO. 25055-Transfer-TA
TIONS UNDER CERTIFICATE OF PUBLIC)	
CONVENIENCE AND NECESSITY PUC NO.)	
6557 PENDING THE DETERMINATION OF)	
THE APPLICATION TO ACQUIRE SAID)	
CERTIFICATE.)	

IN THE MATTER OF THE APPLICATION OF)	
MOUNTAIN MOTORWAY, INC., 1546 MINER)	
STREET, IDAHO SPRINGS, COLORADO, FOR)	
TEMPORARY APPROVAL TO CONDUCT OPERA-)	APPLICATION NO. 25056-Transfer-TA
TIONS UNDER CERTIFICATE OF PUBLIC)	
CONVENIENCE AND NECESSITY PUC NO.)	
8045 PENDING THE DETERMINATION OF)	
THE APPLICATION TO ACQUIRE SAID)	
CERTIFICATE.)	

ORDER GRANTING TEMPORARY APPROVAL

- - - - -
July 8, 1971
- - - - -

The above-entitled application under CRS 1963, 115-6-20 (2),
being under consideration, and

It appearing, That appropriate application has been made to
this Commission for permanent authority to transfer Certificates of
Public Convenience and Necessity PUC No. 6557 and PUC No. 8045 to the
above-named Transferee.

It further appearing, That failure to grant temporary approval
may result in destruction of, or injury to, the Applicant or interfere
substantially with its future usefulness in the performance of adequate
and continuous service to the public.

It is ordered, That Transferee be, and is hereby, granted temp-
rary approval, conditioned upon full compliance with all applicable
statutory and Commission requirements, rules and regulations, to engage

in the business of transportation by motor vehicle to the extent and in the manner set forth in the appendix attached hereto.

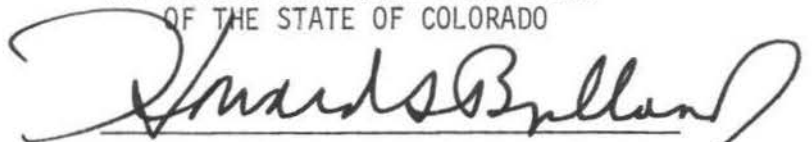

It is further ordered, That the service provided for in this Order shall not be commenced until all requirements have been met and Transferee has received notice in writing from the Commission that compliance has been effected and service may be instituted.

It is further ordered, That upon the approval herein granted becoming effective, failure of the Transferee to maintain compliance with statutory and Commission requirements shall constitute sufficient grounds for suspension, change or revocation of the said approval.

It is further ordered, That if Transferee fails to comply with all applicable statutory and Commission requirements, rules and regulations within fifteen (15) days from the date hereof, this Order shall be of no further force and effect.

It is further ordered, That the approval herein granted shall create no presumption that corresponding permanent approval will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

COMMISSIONER EDWIN R. LUNDBORG NECESSARILY
ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado, this
8th day of July, 1971.

vjr

(Decision No. 78115)
July 8, 1971

APPENDIX

Application No. 25055-Transfer-TA
Application No. 25056-Transfer-TA

Mountain Motorway, Inc.
1546 Miner Street
Idaho Springs, Colorado

By Order of the Commission which this appendix is a part hereof, entered under the name and number shown above, Applicant, upon compliance with the conditions set forth therein and after receipt of notice in writing from the Commission that said conditions have been met, is authorized to engage in the business of Transportation by motor vehicle as follows:

TIME FOR WHICH TEMPORARY APPROVAL IS GRANTED - 165 days or until such time as the decision of the Commission on the corresponding permanent application of the Applicant becomes final, whichever occurs first.

TYPE OF CARRIER - Common

SERVICE AUTHORIZED:

Temporary approval to conduct operations under Certificates of Public Convenience and Necessity PUC No. 6557 and PUC No. 8045 with authorities as follows:

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
PUC NO. 6557

"Transportation of

General freight

Between Denver, on the one hand, and on the other, Central City and points within a radius of ten miles of Central City, serving no intermediate points except those located on Colorado Highway No. 119."

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
PUC NO. 8045

"Transportation -- on schedule -- of

(1) General commodities

Between Denver, Colorado, and a five (5) mile radius thereof; and Frisco, Colorado; over U.S. Highways No. 6 and 40 serving all intermediate points lying west of Mount Vernon Canyon, and the following designated off-route points:

- (a) Empire, Colorado;
- (b) The Public Service construction site on Cabin Creek;
- (c) Montezuma, Colorado;
- (d) Points on Colorado Highway No. 9 north of Dillon, Colorado, to and including Silverthorne, Colorado;
- (e) Points adjacent to and within one (1) mile of U.S. Highway No. 6 commencing on the east side of Loveland Pass to Dillon, Colorado; and
- (f) Breckenridge, Colorado.

(2) General commodities

Between Idaho Springs, Colorado, and Echo Lake, Colorado, over Colorado Highway No. 103, serving all intermediate points."

(Decision No. 78116)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	APPLICATION NO. 24673
FLIGHTSEERS INTERNATIONAL, INC.,)	
650 - 17TH STREET, SUITE 412, DENVER,)	RECOMMENDED DECISION OF
COLORADO, FOR A CERTIFICATE OF PUBLIC)	CHRISTIAN O. IGENBERGS,
CONVENIENCE AND NECESSITY TO OPERATE)	EXAMINER.
AS A COMMON CARRIER BY AIRPLANE.)	
	GRANTING IN PART AND DENYING IN PART

July 8, 1971

Appearances: Thomas A. Hudgens,
Englewood, Colorado,
pro se.
Richard Hanneman, Esq.,
Denver, Colorado, for
Olympic Wing and Rotor, Inc.,
Protestant.
John J. Althoff, Esq.,
Greeley, Colorado, for
Martin Aviation, Inc.,
Protestant.
Joseph F. Nigro, Esq.,
Denver, Colorado, for
Atlas Aircraft Corporation,
Protestant.

PROCEDURE AND RECORD

Under date of November 24, 1970, Applicant filed the above-entitled application with this Commission requesting the issuance of a certificate of public convenience and necessity to conduct operations as a common carrier by aircraft for hire for the transportation service as specifically set forth in said application.

The Commission assigned Docket No. 24673 to the application and gave due notice of the filing of the application in accordance with the provisions of 115-6-8 (2), CRS 1963, as amended.

The following protests were received subsequent to the filing of the application: On January 27, 1971, a protest of Olympic Wing and Rotor, Inc.; on February 2, 1971, a protest of the Sky Ranch Airport;

on February 8, 1971, a protest of Atlas Aircraft Corporation; and on February 18, 1971, a protest of Martin Aviation, Inc.

The Commission by Decision No. 77012 dated February 26, 1971, ordered Applicant to file with the Commission on or before March 19, 1971, a brief or memorandum of legal authorities on the question of jurisdiction of the Commission over the proposed operations and specifically on the question whether the proposed operations would be those of a public utility, as defined in 115-1-2 and 115-1-3, CRS 1963, as amended. Protestants were granted the right to file similar briefs if they so desired on or before the aforesaid date. The Brief of Applicant was duly and timely filed on March 18, 1971, by William H. Haring, Attorney at Law, acting for the purpose of filing the Brief on behalf of Applicant, Flightseers International, Inc.

By the same Order, namely, No. 77012, the Commission set the within matter for hearing on Monday, April 5, 1971, in the Hearing Room of the Commission, Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10 a.m.

Pursuant to law, the Commission assigned the application to Christian O. Igenbergs, Examiner. The matter was called for hearing by the Examiner on the said date, at which time the above and foregoing appearances were entered. Counsel for Protestant, Olympic Wing and Rotor, Inc., moved for continuance on the grounds that said Protestant had not been served with a copy of Commission Decision No. 77012. It was established at the hearing that due to inadvertence, none of the Protestants had been served with copies of the said decision. For good cause shown, the Examiner granted the motion and continued the within matter. The Commission, by Decision No. 77331, dated April 7, 1971, extended on behalf of Protestants the date of filing to April 15, 1971, and reset the hearing to be held on April 15, 1971, in the Hearing Room of the Commission, Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10 a.m. None of the Protestants elected to file a brief. The hearing was held at the said time and place.

Protestant, Sky Ranch Airport, did not appear at the hearing and did not prosecute its protest.

At the conclusion of Applicant's case, counsel for Martin Aviation, Inc., moved that the application be dismissed on the grounds that Applicant had not presented any evidence of an existing need for its services in Greeley, Colorado, and further, that Applicant had no intention of serving in said area. Counsel for Olympic Wing and Rotor, Inc., moved for dismissal of the application on the grounds that no need for Applicant's services had been established for the city and area of Steamboat Springs, Colorado, and that Applicant had no intention to serve there. Both foregoing motions were taken under advisement by the Examiner and are hereby denied.

Official notice was taken by the Examiner of Certificates of Public Convenience and Necessity PUC No. AC-17, PUC No. AC-41, PUC No. AC-53 and PUC No. ACH-66.

Exhibits numbered 1 and 2 were tendered and admitted into evidence.

At the conclusion of the hearing, the subject matter was taken under advisement.

Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes (1963), as amended, Examiner Christian O. Igenbergs now transmits herewith to the Commission the record and exhibits of this proceeding together with a written recommended decision which contains his findings of fact and conclusions thereon, together with the recommended order or requirement.

FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact that:

1. Applicant is a Colorado corporation duly organized and existing under the laws of the State of Colorado.

2. The sole owners and holders of common stock in the corporation are Thomas A. Hudgens and his wife, Moyna N. Hudgens.

3. By this application, Applicant seeks authority to operate as a common carrier by aircraft in carrying passengers in flightseeing, not on schedule but on call and demand, from any airport in Colorado with takeoff from and landing at that airport without intermediate stop and within a 25-mile radius of that airport, restricted to a base of operations and an office for the solicitation of business at Stapleton International Airport at Denver, Colorado, or at airports within a 300-mile radius of Stapleton Airport. Stapleton International Airport is located at Denver, Colorado, which, in turn, is approximately 90 miles south of the Colorado-Wyoming state line. Likewise, the Colorado-Nebraska and Colorado-Kansas state lines are located approximately 180 miles east of Denver, Colorado. The portion of the application which requests the granting of the authority within a 300-mile radius of Stapleton International Airport obviously includes territory located in states bordering the State of Colorado. This Commission has no jurisdiction over aircraft operations in other states and, therefore, the application is viewed and treated as an application for state-wide operating rights within the limits of the boundaries of the State of Colorado only. The Applicant, by the prayer contained in its application, intends to carry passengers in "flightseeing service". The term "flightseeing" is a new term, which apparently has been coined within the industry. Since this term is not contained in any of the existing authorities of carriers by aircraft as granted by this Commission, it will behoove us at this point to define the said term in order to arrive at a precise description. By its own statement contained in a document filed by Applicant as an appendix to the application and entitled

"Proposed Operation", Applicant defines flightseeing as the art of sightseeing by air. The evidence of record in this case indicates that the term "flightseeing" does not consist of solely viewing the terrain below or the maintains in front of the passengers but is really tailored to the individual needs and purposes of the paying passenger. The passenger may, of course, desire to look at the panorama below or in front of him for the sheer enjoyment of the beauty of it, but he also may, and, in fact, in a considerable number of instances will, look at the ground from above as a businessman, a promoter, or employee of an organization photographing, taking measurements, or establishing certain meteorological facts at a given altitude. For this reason, it is considered that the term "flightseeing" should not be included in the description of the authority in the event this application were to be granted. The facts more indicative of the proposed operation are: The offer of Applicant to provide to anyone who so desires a suitable aircraft, a pilot, and the allocation to the boarding passenger a period of time in the air for whatever purpose the passenger may desire.

4. Applicant does not hold previously granted authority from this Commission.

5. Protestants are common carriers by aircraft holding authority from this Commission in the form of certificates of public convenience and necessity: Olympic Wing and Rotor, Inc., PUC No. AC-53 and PUC No. ACH-66; Atlas Aircraft Corporation, PUC No. AC-17; and Martin Aviation, Inc., PUC No. AC-41. The aforesaid authorities provide, inter alia, for charter services by aircraft, and they are in conflict with the authority prayed for by the Applicant herein.

6. In response to an Order of this Commission contained in Decision No. 77012, Applicant filed with the Commission a Brief on the question of jurisdiction of the Commission over the operations proposed

by Applicant and specifically on the question whether the proposed operations would be those of a public utility. The protesting carriers did not elect to file briefs. Counsel for Atlas Aircraft Corporation filed with this Commission a letter dated April 13, 1971, in which he states that he agrees with the Brief of Applicant.

The issue can be stated thus: Will the operations as proposed by Applicant be those of a public utility, as defined in Chapter 115, Article 1, Sections 2 and 3, CRS 1963, as amended? Particularly Paragraph (5) of Section 2 and Paragraph (1) of Section 3 are to be considered here. The respective statutory provisions read as follows, to-wit:

"115-1-2. Definitions. - (1) As used in articles 1 to 7 of this chapter, the following terms shall mean to include:

(5) 'Common carrier', every person, directly or indirectly affording a means of transportation, or any service or facility in connection therewith, within this state by railroad, motor vehicle, aircraft, or other vehicle whatever, by indiscriminately accepting and carrying, for compensation, passengers or property between fixed points or over established routes or otherwise, and includes their lessees, trustees, or receivers, whether appointed by a court or otherwise; (emphasis supplied)

115-1-3. Public utility defined. - (1) The term 'public utility,' when used in articles 1 to 7 of this chapter, includes every common carrier, pipeline corporation, gas corporation, electrical corporation, telephone corporation, telegraph corporation, water corporation, person or municipality operating for the purpose of supplying the public for domestic, mechanical, or public uses, and every corporation, or person now or hereafter declared by law to be affected with a public interest, and each thereof, is hereby declared to be a public utility and to be subject to the jurisdiction, control, and regulation of the commission and to the provisions of articles 1 to 7 of this chapter. Nothing in articles 1 to 7 of this chapter shall be construed to apply to irrigation systems, the chief or principal business of which is to supply water for the purpose of irrigation, or to exemptions provided for in the constitution of the state of Colorado relating to municipal utilities."

We now have to establish as a fact whether or not Applicant fits within the definition of a common carrier.

The Public Utilities statute was amended by the Legislature in 1969 by adding in 115-1-2 (5) the word "aircraft" and the phrase "or otherwise"; thus, giving this Commission authority to regulate carriers of passengers and freight by aircraft although historically and based on an inclusive interpretation of the statute this Commission has in the past regulated common carriers by aircraft. Excellent examples of the result of such regulation are the authorities granted to the protesting carriers. Applicant intends, as evidenced by the document filed by it and entitled "Proposed Operation" (vide Finding of Fact No. 3, supra), to respond to requests on call and demand by the general public to carry passengers by aircraft, for compensation, starting from an airport such as Stapleton International Airport in Denver, Colorado, flying for one or more hours over areas designated by the passenger, returning to the same airport at the termination of the flight, and there deplaning the passenger or passengers. In fact, the proposed operations of Applicant are not different from those performed by charter bus common carriers who also permit their conveyances to be chartered by persons or groups of persons, supply a driver, and carry passengers for compensation from a given starting point over a given route to a point located at some distance from the point of beginning and return the passengers to the same point of beginning. The only difference between the two operations is really the fact that Applicant will use an aircraft instead of a bus and the passengers cannot leave and return to the vehicle en route because of an obvious physical impossibility. The proposed operations by Applicant evidence the typical characteristics of common carriage; namely, the holding out of the service to the general public without discrimination, the use of an apparatus of transportation, and compensation. If so, then the principle established by the Supreme Court of this state in the case of Greeley

Transportation Co. v. People, 79 Colo. 307, 245 P. 720 (1926), is fully applicable here:

"All common carriers are within the Act, and the fact that they do or do not compete with railroads is immaterial."

Any argument that common carrier services can be only between two different points is contradicted by the Digests. See 13 Am.Jur.2d, Carriers, Section 6, page 564:

"To constitute a public conveyance, a common carrier, it is not necessary that it should move between fixed termini or even on fixed routes";

and 13 C.J.S., Carriers, Section 530, pp. 1035, 1036:

"The destination of, or distance to be traveled by, the passenger is immaterial in determining whether the carrier is or is not a common carrier."

It is found, therefore, as a matter of law, that the proposed services by Applicant are those of a common carrier and that this Commission has jurisdiction over the Applicant, the Protestants, and the subject matter of this proceeding.

7. Applicant owns one N7128G Cessna Skyhawk plane, which is suitable for the operation of the authority applied for herein. This equipment is to be stationed at Stapleton International Airport in Denver, Colorado, and serviced at Beechcraft, Inc., at the same location. Applicant has no other aircraft stationed at any other point in this state.

8. Applicant has a net worth of approximately \$10,000, which said sum is sufficient to finance the proposed operations.

9. The chief corporate officers as well as the employees of Applicant are sufficiently familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, promise to abide by said rules and regulations, as well as the safety requirements of the Commission.

10. Applicant has made or will make adequate provision for the necessary insurance covering its operations.

11. Both of the presently employed pilots of the Application corporation, Thomas A. Hudgens and Don G. Bartley, hold licenses as commercial pilots. Furthermore, they are both residents of the Denver metropolitan area and well acquainted with aircraft operations in the aforesaid area. In addition, the testimony of record establishes that Applicant is paying particular attention to the safety of both the aircraft and its passengers.

12. Through the testimony of numerous witnesses, Applicant has established that there is a need, present and/or future, for the kind of services Applicant intends to offer at Stapleton International Airport in Denver, Colorado. Such need consists of flights for the purpose of locating future sites of residential or industrial developments or parks, meteorological observation in weather prognostication and pollution control, general sightseeing and, in particular, sightseeing at the time when Denver offers a rather spectacular display of Christmas lights.

13. Applicant proposes to offer flights on a 24-hour basis, including nighttime flying.

14. The services of Atlas Aircraft Corporation, the sole Protestant who operates out of Stapleton Airport, are inadequate in that said Protestant offers no nighttime flights.

15. Applicant has not established, by competent evidence, that there is a need for its services in the rest and remainder of the state. In particular, the president of the Applicant corporation, Thomas A. Hudgens, testified at the hearing that the corporation has no present or future plans to offer any services out of the airports located at Greeley, Colorado, and Steamboat Springs, Colorado.

16. The present or future public convenience and necessity requires or will require the granting of the authority as hereinafter set forth.

17. The granting of the authority as hereinafter set forth will be in the public interest.

CONCLUSIONS ON FINDINGS OF FACT

Based on the aforesaid findings of fact, it is concluded that:

1. The authority sought by Applicant should be granted as hereinafter set forth.
2. Pursuant to 115-6-9 (2), CRS 1963, as amended, it is recommended by the Examiner that the Commission enter the following

O R D E R

THE COMMISSION ORDERS:

1. That Flightseers International, Inc., 650 - 17th Street, Suite 412, Denver, Colorado, be, and hereby is, authorized to operate as a common carrier by motor vehicle for hire for the following, to-wit:

Transportation -- on call and demand by aircraft -- of
Passengers

Within a twenty-five (25) mile radius of Stapleton
International Airport.

RESTRICTION:

This Certificate is restricted as follows:

- (a) All transportation service to be rendered under this Certificate must both originate and terminate at Stapleton International Airport without intermediate stops;

and this Order shall be deemed to be, and be, a CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY therefor.

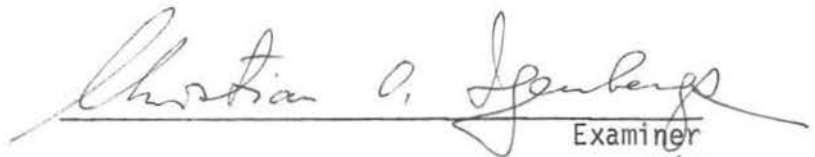
2. That the rest and remainder of Application No. 24673 be, and hereby is, denied.
3. That Applicant shall file tariffs of rates, rules, and regulations as required by the rules and regulations of this Commission within twenty (20) days from date.
4. That Applicant shall operate its carrier system in accordance with the Order of the Commission, except when prevented by an Act of God, the public enemy, or extreme conditions.

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

6. That this Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinabove set out.

7. That as provided by 115-6-9 (2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period of time as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed within such time by the Commission upon its own motion, such Recommended Decision shall become the Decision of the Commission and subject to the provisions of 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Examiner
vjr

(Decision No. 78117)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	APPLICATION NO. 25096-PP-ETA
RALPH L. NOFFSINGER, DOING BUSINESS)	
AS "R. L. NOFFSINGER CONSTRUCTION)	ORDER GRANTING
CO.," 6710 W. 64TH AVE., ARVADA,)	EMERGENCY TEMPORARY AUTHORITY
COLORADO, FOR EMERGENCY TEMPORARY)	
AUTHORITY TO OPERATE AS A CLASS "B")	
CONTRACT CARRIER BY MOTOR VEHICLE.)	

- - - - -
July 9, 1971
- - - - -

The above-entitled application under CRS 1963, 115-6-20 (4),
being under consideration, and

It appearing, That appropriate application has been made to
this Commission for permanent operating authority.

It further appearing, That there is an immediate and urgent
need for the transportation service herein sought.

It further appearing, That failure to immediately grant
emergency temporary authority may result in undue delay in availability
of equipment to contractors for pending construction projects.

And it further appearing, That said circumstances constitute
an emergency requiring the immediate issuance of temporary authority.

It is ordered, That Ralph L. Noffsinger, doing business as
"R. L. Noffsinger Construction Co.," 6710 W. 64th Ave., Arvada, Colorado,
be, and is hereby, granted emergency temporary authority for a period of
fifteen (15) days commencing July 9, 1971, as a class "B" contract carrier
by motor vehicle, for the

"Transportation of

- (1) 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 (100) miles of said pits and supply points;

(2) 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 one hundred (100) miles of said pits and supply points;

(3) Sand, gravel, dirt, stone and refuse

From and to building construction jobs, to and from points within a radius of one hundred (100) miles of said jobs;

(4) Insulrock

From pits and supply points in the State of Colorado to roofing jobs, within a radius of one hundred (100) miles of said pits and supply points;

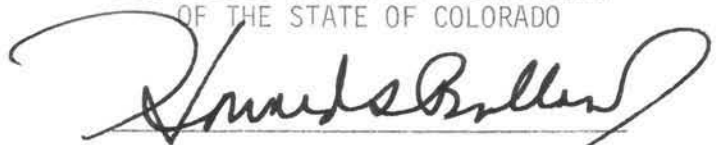

RESTRICTION: This emergency temporary authority is restricted against the use of tank vehicles when transporting road-surfacing materials";

conditioned upon full compliance with all applicable statutory and Commission requirements, rules and regulations.

It is further ordered, That the service provided for in this Order shall not be commenced until all requirements have been met and Applicant has received notice in writing from the Commission that compliance has been effected and service may be instituted.

And it is further ordered, That the authority herein granted shall create no presumption that corresponding temporary or permanent authority will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

COMMISSIONER EDWIN R. LUNDBORG
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 9th day of July, 1971.

js

(Decision No. 78118)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	APPLICATION NO. 25085-Transfer-ETA
WILLIAM C. BREWER, DOING BUSINESS AS)	
"BREWER MILK LINE," ROUTE 2, CALHAN,)	ORDER GRANTING
COLORADO, FOR EMERGENCY TEMPORARY)	EMERGENCY TEMPORARY APPROVAL
APPROVAL TO CONDUCT OPERATIONS UNDER)	
CERTIFICATE OF PUBLIC CONVENIENCE)	
AND NECESSITY PUC NO. 6487.)	

- - - - -
July 9, 1971
- - - - -

The above-entitled application under CRS 1963, 115-6-20 (4), being under consideration, and

It appearing, That appropriate application has been made to this Commission for permanent authority to transfer Certificate of Public Convenience and Necessity PUC No. 6487 to the above-named Transferee.

It further appearing, That there is an immediate and urgent need for the emergency temporary approval herein sought, and,

It further appearing, That failure to immediately grant emergency temporary approval may result in the destruction of, or injury to, such carrier or carrier properties sought to be acquired, or to interfere substantially with their future usefulness in the performance of adequate and continuous service to the public.

It further appearing, That said circumstances constitute an emergency requiring the immediate issuance of temporary approval.

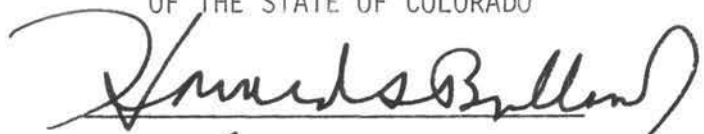

It is ordered, That William C. Brewer, doing business as "Brewer Milk Line," Route 2, Calhan, Colorado, be, and is hereby, granted emergency temporary approval for a period of fifteen (15) days commencing July 9, 1971, to operate under Certificate of Public Convenience and

Necessity PUC No. 6487; conditioned upon full compliance with all applicable statutory and Commission requirements, rules and regulations, to engage in the business of transportation by motor vehicle.

It is further ordered, That the service provided for in this Order shall not be commenced until all requirements have been met and Applicant has received notice in writing from the Commission that compliance has been effected and service may be instituted.

And it is further ordered, That the approval herein granted shall create no presumption that corresponding temporary or permanent approval will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

COMMISSIONER EDWIN R. LUNDBORG
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 9th day of July, 1971.
js

(Decision No. 78119)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF	)	APPLICATION NO. 25059-Extension-TA
HANS WEIBEL, DOING BUSINESS AS "VAIL)	
JEEP GUIDES," BOX 654, VAIL, COLORADO,	)	ORDER GRANTING TEMPORARY AUTHORITY
FOR TEMPORARY AUTHORITY TO EXTEND)	
OPERATIONS UNDER CERTIFICATE OF PUBLIC)	
CONVENIENCE AND NECESSITY PUC NO. 7321.)	

July 9, 1971

The above-entitled application under CRS 1963, 115-6-20 (1),
being under consideration, and

It appearing, That there is an immediate and urgent need for
the motor carrier service described in the appendix attached hereto, and
that there is no carrier service available capable of meeting such need.

It is ordered, That Applicant be, and is hereby, granted
temporary authority, conditioned upon full compliance with all applicable
statutory and Commission requirements, rules and regulations, to engage
in the business of transportation by motor vehicle to the extent and in
the manner set forth in the appendix attached hereto.

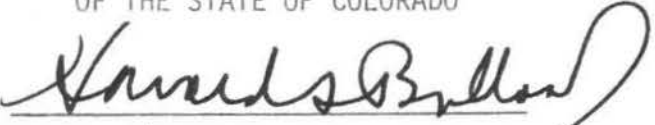

It is further ordered, That the service provided for in this
Order shall not be commenced until all requirements have been met and
Applicant has received notice in writing from the Commission that com-
pliance has been effected and service may be instituted.

It is further ordered, That upon the authority herein granted
becoming effective, failure of the Applicant to maintain compliance
with statutory and Commission requirements shall constitute sufficient
grounds for suspension, change or revocation of the said authority.

It is further ordered, That if Applicant fails to comply with all applicable statutory and Commission requirements, rules and regulations within fifteen (15) days from the date hereof, this Order shall be of no further force and effect.

It is further ordered, That the authority herein granted shall create no presumption that corresponding permanent authority will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

COMMISSIONER EDWIN R. LUNDBORG
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 9th day of July, 1971.
js

(Decision No. 78119)
July 9, 1971

APPENDIX

Application No. 25059-Extension-TA

Hans Weibel
Doing Business As
Vail Jeep Guides
Box 654
Vail, Colorado

By Order of the Commission which this appendix is a part hereof, entered under the name and number shown above, Applicant, upon compliance with the conditions set forth therein and after receipt of notice in writing from the Commission that said conditions have been met, is authorized to engage in the business of transportation by motor vehicle as follows:

TIME FOR WHICH TEMPORARY AUTHORITY IS GRANTED - 180 days or until such time as the decision of the Commission on the corresponding permanent application of the Applicant becomes final, whichever occurs first.

TYPE OF CARRIER - Common

SERVICE AUTHORIZED:

Temporary authority to extend operations under Certificate of Public Convenience and Necessity PUC No. 7321 with authority as follows:

"Transportation -- in sightseeing service -- of
Passengers

Within Vail, Colorado, and a fifty (50) mile radius thereof.

RESTRICTION: This temporary authority is restricted as follows:

- (a) To the use of four-wheel drive vehicles not to exceed ten (10) passenger capacity including the driver.
- (b) All transportation service rendered under this permit shall both originate and terminate at Vail, Colorado."

(Decision No. 78120)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	APPLICATION NO. 24974-PP-Extension
GOLDEN INDUSTRIAL SERVICE, INC.,)	
P. O. BOX 713, GOLDEN, COLORADO,)	ORDER OF THE COMMISSION
FOR AUTHORITY TO EXTEND OPERATIONS)	
UNDER CONTRACT CARRIER PERMIT NO.)	
B-7411.)	

- - - - -
July 9, 1971
- - - - -

Appearances: Roger Sollenbarger, Esq., Denver,
Colorado, for Applicant.

It appearing, That by Order of the Commission dated May 12, 1971, notice of the filing of the above-entitled application was given to all interested persons, firms and corporations pursuant to CRS 1963, 115-6-8 (2);

It further appearing, That no protest, objection or petition to intervene or otherwise participate in the proceeding has been filed by any person within the time prescribed by the Commission in said Order, and that the herein proceeding is therefore noncontested and unopposed;

It further appearing, That pursuant to CRS 1963, 115-6-9 (5), the herein matter is one which may properly be determined without the necessity of a formal oral hearing and that the taking of evidence in this proceeding should be by reference to the verified application as filed with the Commission together with such additional information or data as may have been required of Applicant in connection with said filing, and the files and records of the Commission;

And it further appearing, That the evidence thus submitted amply warrants the grant of authority as hereinafter extended and ordered;

Wherefore, and good cause appearing therefor:

We find, That there is a present and special need for Applicant's transportation services as hereinafter extended and ordered;

We further find, That it does not appear that the grant of authority as hereinafter extended and ordered will impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes;

And we further find, That Applicant is fit, willing and able properly to perform the extended service as hereinafter granted and to conform to the applicable statutory requirements and the Commission's rules and regulations thereunder, and that an appropriate order should be entered; and

It is ordered, That Golden Industrial Service, Inc., P. O. Box 713, Golden, Colorado, be, and is hereby, authorized to extend operations under Contract Carrier Permit No. B-7411 to include the following:

"Transportation of

Empty glass containers (with or without dunnage used in the transportation of glass containers or kegs)

Within a one (1) mile radius of the Coors Plant at Golden, Colorado.

RESTRICTION: This Permit is restricted to shipments moving under contract with Adolph Coors Company, Golden, Colorado."

It is further ordered, That henceforth the full and complete authority under Contract Carrier Permit No. B-7411, as extended, shall read and be as follows, to wit:

"Transportation of

Empty beer kegs and empty glass containers (with or without dunnage),

Between points within a one (1) mile radius of the Coors Plant at Golden, Colorado.

RESTRICTION: This Permit is restricted to rendering transportation service for only Adolph Coors Company, Golden, Colorado."

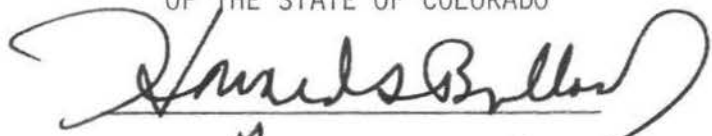

It is further ordered, That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this Permit as deemed advisable.

It is further ordered, That this Order is the Permit herein provided for, but it shall not become effective until Applicant has filed a statement of customers, the necessary tariffs, required insurance, and has secured authority sheets.

It is further ordered, That the right of Applicant to operate hereunder shall depend upon compliance with all present and future laws and rules and regulations of the Commission.

And it is further ordered, That this Order shall become effective twenty-one days from the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

COMMISSIONER EDWIN R. LUNDBORG
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 9th day of July, 1971.

js

(Decision No. 78121)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
COLORADO MILK TRANSPORT, INC., ROUTE)
1, BOX 142, BROOMFIELD, COLORADO,)
FOR AUTHORITY TO EXTEND OPERATIONS)
UNDER CONTRACT CARRIER PERMIT NO.)
B-6935.)

APPLICATION NO. 24943-PP-Extension

ORDER OF THE COMMISSION

- - - - -
July 9, 1971
- - - - -

Appearances: Edward T. Lyons, Esq.,
Denver, Colorado,
for Applicant.

It appearing, That by Order of the Commission dated April 28, 1971, notice of the filing of the above-entitled application was given to all interested persons, firms and corporations pursuant to CRS 1963, 115-6-8 (2);

It further appearing, That no protest, objection or petition to intervene or otherwise participate in the proceeding has been filed by any person within the time prescribed by the Commission in said Order, and that the herein proceeding is therefore noncontested and unopposed;

It further appearing, That pursuant to CRS 1963, 115-6-9 (5), the herein matter is one which may properly be determined without the necessity of a formal oral hearing and that the taking of evidence in this proceeding should be by reference to the verified application as filed with the Commission together with such additional information or data as may have been required of Applicant in connection with said filing, and the files and records of the Commission;

And it further appearing, That the evidence thus submitted amply warrants the grant of authority as hereinafter extended and ordered;

Wherefore, and good cause appearing therefor:

We find, That there is a present and special need for Applicant's transportation services as hereinafter extended and ordered;

We further find, That it does not appear that the grant of authority as hereinafter extended and ordered will impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes;

And we further find, That Applicant is fit, willing and able properly to perform the extended service as hereinafter granted and to conform to the applicable statutory requirements and the Commission's rules and regulations thereunder, and that an appropriate order should be entered; and

It is ordered, That Colorado Milk Transport, Inc., Route 1, Box 152, Broomfield, Colorado, be, and is hereby, authorized to extend operations under Contract Carrier Permit No. B-6935 to include the following:

"Transportation of

Milk, in bulk, in tank vehicles

From all points located within Chaffee County, State of Colorado, to Salida, Canon City, Pueblo, Colorado Springs, and Denver, Colorado.

RESTRICTION: This Permit is restricted to transportation for one customer only, Mountain Empire Dairymen's Association."

Further, Applicant is granted authority to substitute the name of Mountain Empire Dairymen's Association in lieu of Denver Milk Producers, Inc., on the existing authority granted under Contract Carrier Permit No. B-6935.

It is further ordered, That henceforth the full and complete authority under Contract Carrier Permit No. B-6935, as extended, shall read and be as follows, to-wit:

"Transportation of

(1) Milk (in bulk)

From all points located within El Paso, Fremont, Custer, Pueblo, Crowley, and Otero Counties, Colorado, to:

- a) Pueblo, Colorado, and points within a ten (10) mile radius thereof.
- b) Colorado Springs, Colorado, and points within a ten (10) mile radius thereof.

(2) Milk (in bulk)

From all points located within Chaffee County, Colorado, to:

- a) Salida, Colorado;
- b) Canon City, Colorado;
- c) Pueblo, Colorado;
- d) Colorado Springs, Colorado; and
- e) Denver, Colorado.

RESTRICTION: This Permit is restricted as follows:

- a) To rendering transportation service for only Mountain Empire Dairymen's Association.
- b) To the use of tank vehicles."

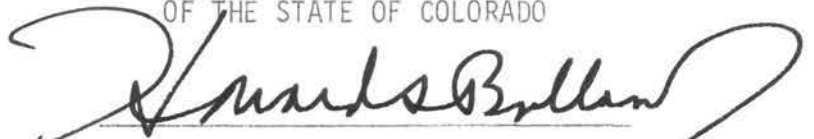

It is further ordered, That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this Permit as deemed advisable.

It is further ordered, That this Order is the Permit herein provided for, but it shall not become effective until Applicant has filed a statement of customers, the necessary tariffs, required insurance, and has secured authority sheets.

It is further ordered, That the right of Applicant to operate hereunder shall depend upon compliance with all present and future laws and rules and regulations of the Commission.

And it is further ordered, That this Order shall become effective twenty-one (21) days from the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

COMMISSIONER EDWIN R. LUNDBORG NECESSARILY
ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado, this
9th day of July, 1971.

vjr

(Decision No. 78122)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION)	
OF VICTOR N. SUNDQUIST, BOX 114,	)	APPLICATION NO. 25076-PP
DOLORES, COLORADO, FOR AUTHORITY)	
TO OPERATE AS A CLASS "B" CONTRACT	)	ORDER OF THE COMMISSION
CARRIER BY MOTOR VEHICLE.)	

- - - - -
July 9, 1971
- - - - -

It appearing, That by Order of the Commission dated June 23, 1971, notice of the filing of the above-entitled application was given to all interested persons, firms and corporations pursuant to CRS 1963, 115-6-8 (2);

It further appearing, That no protest, objection or petition to intervene or otherwise participate in the proceeding has been filed by any person within the time prescribed by the Commission in said Order, and that the herein proceeding is therefore noncontested and unopposed;

It further appearing, That pursuant to CRS 1963, 115-6-9 (5), the herein matter is one which may properly be determined without the necessity of a formal oral hearing and that the taking of evidence in this proceeding should be by reference to the verified application as filed with the Commission together with such additional information or data as may have been required of Applicant in connection with said filing, and the files and records of the Commission;

And it further appearing, That the evidence thus submitted amply warrants the grant of authority as hereinafter ordered;

Wherefore, and good cause appearing therefor:

We find, That there is a present and special need for Applicant's transportation services as hereinafter ordered;

We further find, That it does not appear that the grant of authority as hereinafter ordered will impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes;

We further find, That the grant of authority as hereinafter ordered should be identified and be known as "Permit No. B-6789," being the number of a permit formerly held by Applicant.

And we further find, That Applicant is fit, willing and able properly to perform the service as hereinafter granted and to conform to the applicable statutory requirements and the Commission's rules and regulations thereunder, and that an appropriate Order should be entered; and

It is ordered, That Victor N. Sundquist, Box 114, Dolores, Colorado, be, and hereby is, authorized to operate as a class "B" contract carrier by motor vehicle for hire for the following:

"Transportation of

(1) Logs, poles and timber products

From forests to sawmills, places of storage and loading points within a radius of one hundred (100) miles of said forests;

(2) Rough lumber

From sawmills within a one hundred (100) mile radius of forests to markets in the State of Colorado.

RESTRICTION: This Permit is restricted against town-to-town service."

It is further ordered, That the above class "B" motor vehicle contract carrier operations shall be designated and assigned the number "B-6789," and this Order shall be deemed to be, and be, a PERMIT therefor.

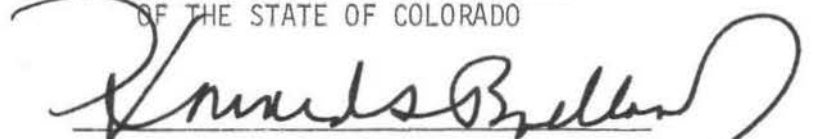
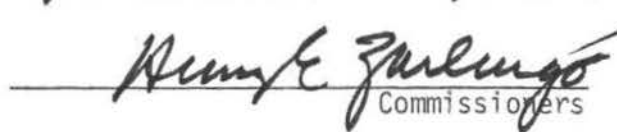
It is further ordered, That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this Permit as deemed advisable.

It is further ordered, That this Order is the Permit herein provided for, but it shall not become effective until Applicant has filed a statement of customers, the necessary tariffs, required insurance, and has secured authority sheets.

It is further ordered, That the right of Applicant to operate hereunder shall depend upon compliance with all present and future laws and rules and regulations of the Commission.

And it is further ordered, That this Order shall become effective twenty-one (21) days from the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

COMMISSIONER EDWIN R. LUNDBORG NECESSARILY
ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado, this
9th day of July, 1971.
vjr

(Decision No. 78123)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	APPLICATION NO. 24935-PP
EMPIRE WAREHOUSE, INC., 4970 OLIVE)	
STREET, COMMERCE CITY, COLORADO, FOR)	RECOMMENDED DECISION OF
A CLASS "B" PERMIT TO OPERATE AS A)	ROBERT L. PYLE, EXAMINER
CONTRACT CARRIER BY MOTOR VEHICLE)	
FOR HIRE.)	GRANTING APPLICATION

- - - - -
July 9, 1971
- - - - -

Appearances: Harold D. Torgan, Esq.,
Denver, Colorado, for
Applicant.
Law Firm of Jones, Meiklejohn,
Kehl and Lyons, Denver, Colorado,
for Colorado Cartage Company,
Inc., and Frederic A. Bethke,
doing business as "Bethke Truck
Lines," Protestants.

PROCEDURE AND RECORD

Under date of April 15, 1971, Applicant filed the above-entitled application with this Commission for authority to operate as a Class "B" contract carrier by motor vehicle for hire for the transportation service as specifically set forth in said application.

The Commission assigned Docket No. 24935-PP to the application and gave due notice of the filing of the application in accordance with the provisions of 115-6-8 (2), CRS 1963, as amended.

On May 6, 1971, Colorado Cartage Company and Frederic A. Bethke, doing business as "Bethke Truck Lines," filed their protests to the granting of the authority requested in the above-captioned application.

Pursuant to law, the Commission assigned the application to Robert L. Pyle, Examiner, and, after due and proper notice to all interested persons, firms, or corporations, set the herein matter for a hearing to be

held in the Hearing Room of the Commission, Columbine Building, 1845 Sherman Street, Denver, Colorado, on Wednesday, June 30, 1971, at 10 a.m.

This matter was originally called for hearing on June 30, 1971; but since it was determined that the Protestants did not receive Notice of said hearing, it was agreed by the parties that the matter be continued for further hearing on July 6, 1971. However, inasmuch as Applicant's shipper witness had come from Chicago to Denver especially for the hearing, it was agreed by the parties that his testimony would be taken on June 30, 1971, and other testimony could then be taken at the later date on July 6, 1971. After concluding the Applicant's case and the Protestant of Colorado Cartage Company on July 6, 1971, it was determined that Mr. Frederic A. Bethke, doing business as "Bethke Truck Lines," would not be able to attend the hearing on that date so, by further agreement of the parties, it was agreed that the matter would be set for additional hearing on July 8, 1971. On July 8, 1971, the matter was concluded.

Exhibit Nos. 1, 2, 3, 4, and 5 were tendered and admitted into evidence.

At the conclusion of the hearing, the subject matter was taken under advisement.

Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes (1963), as amended, Examiner Robert L. Pyle now transmits herewith to the Commission the record and exhibits of this proceeding together with a written recommended decision which contains his findings of fact and conclusions thereon, together with the recommended order or requirement.

FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact that:

1. Applicant is a Colorado corporation duly organized to do business in the State of Colorado. It is a family corporation with the stock being owned by Mr. Thomas P. Lee, its president, and his wife, Mrs. Margaret E. Lee, its secretary-treasurer. One M. F. Leonard is the vice-president. Applicant has been warehousing products for E. J. Brach & Sons for a number of years. It holds an I authority but has no other authority from this Commission.

2. By this application, Applicant seeks a Class "B" Permit to operate as a contract carrier by motor vehicle for hire in intrastate commerce so as to

"transport candy from point to point within the Counties of Denver, Arapahoe, Adams, Boulder, Weld, and Larimer for E. J. Brach & Sons, a division of American Home Products Corporation, only."

3. The application was protested by the following parties who hold authority as indicated:

- a. Colorado Cartage Company, Inc., which holds Certificate of Authority P.U.C. No. 692 & I, 2693 & I, and 3379 & I. While said Protestant has been handling a small amount of transportation of candy for E. J. Brach, it only has limited authority in the territory sought by the Applicant and required by Brach to properly serve its customers.
- b. Bethke Truck Lines which holds Certificates 523 & I and 5199 & I. Bethke similarly has limited authority in the territory required to be served by the Applicant's customer witness and, secondly, does not have refrigerated equipment as required by E. J. Brach & Sons.
- c. Both of the above Protestants primarily operate a scheduled service, picking up the commodity the day before it is to be delivered, and in view of the highly perishable nature of chocolate candy and the importance of keeping it at a constant temperature during much of the year, this becomes a great disadvantage to the customer.

4. E. J. Brach & Sons is a large distributor of candies within the State of Colorado, and the bulk of its customers lie within the Counties of Denver, Arapahoe, Adams, Boulder, Weld, and Larimer where, by this

application, Applicant proposes to serve them. It ships approximately 1,300,000 pounds of candy into this particular area each year, of which approximately 800,000 pounds require motor vehicle transportation. It is estimated that this would generate approximately \$90,000 to \$100,000 in freight revenue.

5. Applicant has delivered preconsigned items in Denver. Occasionally a customer will select his own carrier, and a few customers come to the warehouse and pick up their shipments. About 90 percent of the balance of the intrastate shipments are transported by Globe Transport Company, which it should be noted is not a protestant in this proceeding. The other 10 percent is divided up among various common carriers, and both Protestants to this proceeding share a part of this 10 percent of the total shipments.

6. E. J. Brach & Sons is desirous of having one carrier who will serve its needs in the aforementioned 6-County area and prefers to have a private contract carrier who will not only have complete knowledge of its particular needs but will have no other motor carrier obligations.

7. The transportation of chocolate candies, which is the bulk of E. J. Brach & Sons product, requires very specialized handling, including transportation in equipment that is temperature controlled and special knowledge as to handling and placing the order with the customer. Applicant can fulfill all the needs of E. J. Brach & Sons in this respect and is making this application at the instance of the said E. J. Brach & Sons. If this application is granted, Applicant will enter into a contract to perform services for E. J. Brach & Sons as required, and E. J. Brach & Sons is willing to pay higher rates in order to obtain the service it desires.

8. Chocolate candies must be maintained at an even temperature and if exposed to anything over 82° F., they will begin to deteriorate and turn white. At anything over 86° F., they will melt. Further, because of the

fragility, especially of candies such as chocolate covered cherries, the product is very susceptible to simply falling apart when not handled carefully.

9. Neither Colorado Cartage Company nor Bethke Truck Lines has authority to serve all the area encompassed by this application, and they, together with other carriers who now transport about 10 percent of the customer's product, could not possibly lose any more than approximately 10 percent of the total revenue paid by this shipper. The operation proposed by this Applicant would, therefore, not impair the efficient public service of these Protestants.

10. Because of the specialized factors in handling and refrigeration, as outlined above, and because of the need of this particular customer to have one carrier to fulfill the bulk of its transportation needs, there is a present and special need for the service proposed by the Applicant in this proceeding, and the present service of Protestants would not be adequate to meet the particular transportation requirements sought herein.

11. The authority requested by the Applicant in this proceeding is, in fact, contract carriage.

12. Exhibit No. 1, which is Applicant's Financial Statement, shows total stockholders' equities of \$10,783. It is to be noted that this Statement is almost one year old, and Applicant has increased its net worth in the past year an additional \$10,000. It is found as a matter of fact that Applicant has sufficient net worth, experience, and knowledge of the rules and regulations of the Commission. Applicant has a 1962 Ford van with controlled refrigeration, and if necessary will obtain additional equipment so as to give complete service. Applicant has made adequate provisions for insurance.

13. The granting of this application would be in the public interest.

CONCLUSIONS ON FINDINGS OF FACT

Based on the aforesaid findings of fact, it is concluded that:

1. Applicant has established, as a matter of fact, that it intends to and will perform services as a contract carrier by motor vehicle for hire.

2. The authority sought by Applicant should be granted, and such grant should be restricted as hereinafter set forth.

3. Pursuant to 115-6-9 (2), CRS 1963, as amended, it is recommended by the Examiner that the Commission enter the following

O R D E R

THE COMMISSION ORDERS:

1. That Empire Warehouse, Inc., a Colorado corporation, 4970 Olive Street, Denver, Colorado, be, and hereby is, authorized to operate as a Class "B" contract carrier by motor vehicle for hire for the following:

Transportation of

Candy

From point to point within the Counties of Denver, Arapahoe, Adams, Boulder, Weld, and Larimer, State of Colorado.

RESTRICTION:

This Permit is restricted to serving one customer only; namely, E. J. Brach & Sons, a division of American Home Products Corporation;

and this Order shall be deemed to be, and be, a PERMIT therefor.

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

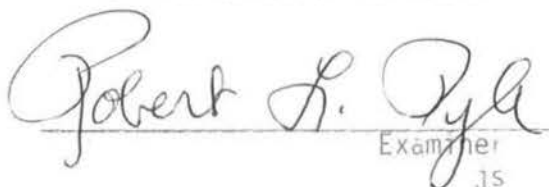
3. That this Order is the Permit herein provided for, but it shall not become effective until Applicant has filed a statement of its customers, the necessary tariffs, required insurance, and has secured authority sheets.

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

5. That this Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinabove set out.

6. That as provided by 115-6-9 (2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period of time as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed within such time by the Commission upon its own motion, such Recommended Decision shall become the Decision of the Commission and subject to the provisions of 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Examiner
JS

(Decision No. 78124)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
RALPH B. ARNOLD, JR., DOING BUSINESS
AS "BEST MAINTENANCE SERVICE," 2830
17TH, BOULDER, COLORADO, FOR EMERGENCY
TEMPORARY AUTHORITY TO OPERATE AS A
CLASS "B" CONTRACT CARRIER BY MOTOR
VEHICLE.

APPLICATION NO. 25094-PP-ETA
ORDER DENYING EMERGENCY TEMPORARY
AUTHORITY

July 9, 1971

The above-entitled application under CRS 1963, 115-6-20 (4),
being under consideration, and

It appearing, That the Applicant has not shown that there is
an immediate and urgent need for the relief herein sought.

It is ordered, That the application for emergency temporary
authority be, and is hereby, denied.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Howard S. Bullard
Henry E. Gulerger
COMMISSIONERS

COMMISSIONER EDWIN R. LUNDBORG NECESSARILY
ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado, on
9th day of July, 1971

vjr

(Decision No. 78125)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
RESPONDENT, COLORADO TRANSFER AND)
STORAGE, INC., A COLORADO CORPO-)
RATION, 2401 SOUTH DOWNING STREET,)
DENVER, COLORADO, UNDER CERTIFI-)
CATE OF PUBLIC CONVENIENCE AND)
NECESSITY PUC NO. 416 and PUC NO.)
416-I.)

CASE NO. 5440

ORDER DENYING PETITION FOR
REHEARING, RECONSIDERATION
OR REARGUMENT

- - - - -
July 12, 1971
- - - - -

Appearances: Roger Sollenbarger, Esq.,
Denver, Colorado,
for Respondent.
Girts Krumins, Esq.,
Denver, Colorado, for the
Staff of the Commission.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On June 15, 1971, the Commission by Decision No. 77927 affirmed and adopted the Recommended Decision and Order of Examiner Robert L. Pyle (Decision No. 77443) as the Order of the Commission in the above-entitled matter, with modification and amendment so as to delete the first sentence in Finding of Fact No. 10 thereof, to read as stipulated in above-captioned decision.

On July 6, 1971, Colorado Transfer and Storage, Inc., by its attorneys, Stockton and Lewis, filed its Application for Rehearing, Reconsideration or Reargument of Decision No. 77927 dated June 15, 1971.

The Commission states and finds that Protestant's Application for Rehearing, Reconsideration or Reargument does not set forth sufficient grounds for any change or modification and that said application should therefore be denied as set forth in the Order following.

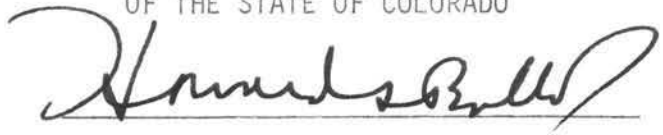
O R D E R

THE COMMISSION ORDERS THAT:

The Application for Rehearing, Reconsideration or Reargument filed on July 6, 1971, by Protestant, Colorado Transfer and Storage, Inc., of Decision No. 77927, dated June 15, 1971, be, and hereby is, denied.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

A large, stylized handwritten signature in dark ink, appearing to read "Howard Bull", written over a horizontal line.A handwritten signature in dark ink, appearing to read "Henry J. Auleng", written over a horizontal line. Below the signature, the word "Commissioners" is printed.

COMMISSIONER EDWIN R. LUNDBORG NECESSARILY
ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado, this
12th day of July, 1971.

vjr

(Decision No. 78126)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOUNTAIN STATES TELEPHONE AND)
TELEGRAPH COMPANY STATEWIDE INTER-)
CITY CALLING SERVICE OFFERING;)
COLORADO PUC NO. 5 - SECOND;)
REVISED TARIFF SHEETS 1 AND 2,)
FIRST REVISED TARIFF SHEET 41)
AND ORIGINAL TARIFF SHEETS 42,)
43, 44, 45, 46 and 47.)

CASE NO. 5463
ORDER TO SHOW CAUSE
AND
NOTICE OF HEARING

- - - - -
July 12, 1971
- - - - -

S T A T E M E N T

BY THE COMMISSION:

Mountain States Telephone and Telegraph Company, the Respondent herein, in accord with Decision No. 73263, dated July 18, 1969, established rates and charges for a new measured rate one-way optional long distance calling plan for residents and business subscribers, known as Statewide Intercity Calling Service. The applicable tariff sheets are identified in the caption above.

This service has been provided on an experimental basis, and under the existing tariff provisions, will automatically expire on July 19, 1971. Sufficient customer interest in continuance of this service has been shown through correspondence with the Commission to warrant further investigation.

F I N D I N G S

THE COMMISSION FINDS:

That sufficient cause exists for the holding of a hearing to determine the facts of said matter, and to determine what Order, if any, should be entered by the Commission.

O R D E R

THE COMMISSION ORDERS:

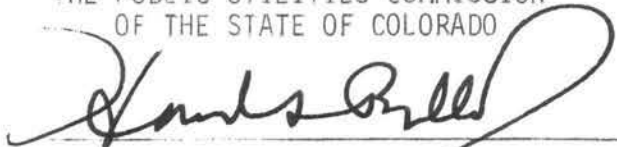

That this Case be, and the same hereby is, set for hearing before the Commission at 10 a.m. on the 29th day of July, 1971, at the Hearing Room of the Commission, 1845 Sherman Street, Denver, Colorado 80203.

That a copy of this Order shall be served on Mountain States Telephone and Telegraph Company and all those customers who have filed a complaint with this Commission on the abandonment of this service.

That Respondent, Mountain States Telephone and Telegraph Company, be, and hereby is, directed to appear on July 29, 1971, as specifically set forth above, and to show cause why the Commission should not take such action and enter such Order as may be appropriate, including, but not limited to, an order directing Mountain States Telephone and Telegraph Company to continue the offering of a statewide intercity calling service as now provided, or a reasonable substitute therefor.

Any present or prospective subscriber for the Statewide Intercity Calling Service may also appear and be heard at the hearing in this matter.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

COMMISSIONER EDWIN R. LUNDBORG NECESSARILY
ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado, this
12th day of July, 1971.

vjr

(Decision No. 78127)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE: INCREASED RATES AND CHARGES)
APPLICABLE TO THE TRANSPORTATION)
OF SO-CALLED HEAVY COMMODITIES)

CASE No. 1585

July 9, 1971

STATEMENT AND FINDING OF FACT

BY THE COMMISSION:

On June 11, 1971, J. R. Smith, Chief of Tariff Bureau, Colorado Motor Carriers' Association, as Agent, filed revised pages as set forth in appendix "A" attached hereto, to its Motor Freight Tariff No. 13, Colorado PUC No. 12* (*The Motor Truck Common Carriers' Association, Agent, Series) scheduled to become effective July 12, 1971.

Generally the increases are represented as approximately 10 per cent to the per loaded mile rates and the adjusted commodity rates. The charges for hourly rates and services are being adjusted for stake truck and driver from \$9.00 to \$11.50; winch truck and driver from \$12.00 to \$12.50 and tail gate lift truck and driver from \$9.50 to \$12.50 per hour. The load factor for Tractor and Hi-bed and driver is increased from 20 tons to 25 tons at the same hourly charges. Item 745 added hereto was formerly published in Rio Grande Motor Way, Inc's, Motor Freight Tariff No. 10-I, Colorado PUC No. 56, with an applicable rate of 40 cents per 100 pounds.

Wally Fletchinger, General Traffic Manager, Rio Grande Motor Way, Inc. submitted a traffic study and its allocated line haul expenses for the year 1970 which was represented as being .59212 per mile. Pick up and delivery expenses as well as dock expenses were omitted as it is believed that traffic moving under the per loaded mile rates do not normally require a pick-up and/or delivery service nor over the dock handling.

A summary of all shipments handled during 1970 was also included which indicates the average loaded miles to be 168 per shipment.

The average revenue was \$193.65 per shipment or 57½ cents per round trip mile. This 57½ figure is below the allocated costs of .59212 cents per mile costs stated above. It is also represented that: "to break even in 1970, our requirements were approximately \$1.18 per loaded mile and the average revenue received on the shipments herein involved averaged at \$1.15 per loaded mile."

The specific point to point commodity rates reflect the same trend as the per loaded mile rates wherein the revenue realized has fallen below the 1970 line haul cost of 59 cents. The traffic is primarily on a one way haul without return load and transported on open top trailers or flat beds.

The last change in rates for the distance scale (or per loaded mile) was in September 1968. Reference thereto is under Decision No. 71899. Also as an example, the rates between Minnequa and Pueblo to Denver and surrounding areas appearing in Item 740 the 30,000 and 40,000 rates of 38 and 33 cents have been in effect since January 1961; the 90,000 and 46,000 (proposal 50,000) of 26 and 30 cents have been in effect since 1965.

The Commission is of the opinion that Item No. 200, (Moving Empty Equipment) as proposed in appendix "A" hereto is not clear and understandable and the proponents of the item have agreed to amend said provisions as shown in appendix "B" hereto.

Pursuant to the provisions of Chapter 115-11-5, Colorado Revised Statutes (1963) as amended, and Rule 19-B, Rules of Practice and Procedure before The Commission, the Commission finds that: --

1. The said changes shall be entered, prescribing the provisions of appendix "A" attached hereto, excluding Item No. 200 and in lieu thereof appendix "B" shall be prescribed.

O R D E R

THE COMMISSION ORDERS:

1. That the Statement and Finding of Fact, and Appendix "A" and "B", be, and the same are hereby, made a part hereof.
2. That the rates and charges set forth in Appendix "A",

except as otherwise provided and "B" shall be the prescribed rates of the Commission.

3. That on and after July 12, 1971, the affected common carriers by motor vehicle herein shall cease and desist from demanding, charging and collecting rates and charges greater or less than those herein prescribed.

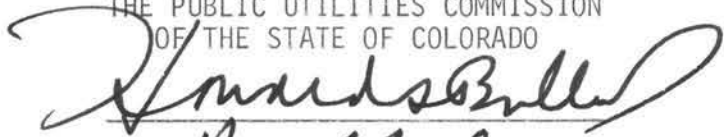

4. That all contract carriers by motor vehicle, to the extent they are affected by the changes involved herein, shall publish, or cause to be published, rates, rules, regulations and provisions which shall not be less than those prescribed for motor vehicle common carriers, on and after July 12, 1971.

5. That 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.

6. That this Order shall not be construed so as to compel a contract carrier by motor vehicle to be or become a motor vehicle common carrier or to subject any such contract carrier by motor vehicle to the laws and liabilities applicable to a motor vehicle common carrier.

7. That this Order shall become effective forthwith.

8. That jurisdiction is retained to make such further Orders as may be necessary and proper.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

COMMISSIONER EDWIN R. LUNDBORG
NECESSARILY ABSENT AND NOT
PARTICIPATING

Dated at Denver, Colorado, this
9th day of July, 1971.

dh

APPENDIX "A"

Colorado Motor Carriers' Association, Agent
Motor Freight Tariff No. 13
Colorado P.U.C. No. 12*

(*The Motor Truck Common Carriers' Association, Agent, Series)

Effective: July 12, 1971

Item No.	Rules and Regulations
	2nd Revised Page No. 21-A
	<u>MOVING EMPTY EQUIPMENT:</u>
200	(A) When the origin and/or destination of a shipment is a point at which a carrier does not have suitable equipment, a charge of 40¢ per deadhead mile will be applied from the point of trailer dispatch to the actual loading site and/or from the unloading site to the point at which the carrier's nearest terminal is located, or the immediate subsequent use of the equipment, whichever is less.
	(B) Mileages to apply will be that computed in accordance with the provisions of Item 180, from the point at which carrier's equipment is located to the point of origin of the shipment, plus that from the destination of the shipment to the point at which the carrier's nearest terminal is located, or the immediate subsequent use of equipment, whichever is less, subject to the provisions of paragraph (C) hereof.
	(C) No charge for deadhead mileage will apply to that part of the route of movement over which the "loaded" mileage is computed, the route of movement to be considered via the highway over which the mileage is computed according to the provisions of Item 180.
	(D) When, at the request of a consignor or consignee, the carrier dispatches equipment to a point of origin and, through no fault of the carrier, a shipment is not tendered to the carrier, a charge of 40¢ per mile will be assessed based on a distance from the point from which equipment was dispatched to designated point of origin and return.
	7th Revised Page No. 22
220	<u>OVERTIME:</u> (See Note) In the event carrier is requested by the consignor or consignee to render service between the hours of 5:00 P.M., and 7:00 A.M., or on Saturday, Sunday or Legal Holidays, viz.: New Year's Day, the day before Christmas, Christmas Day, Thanksgiving Day, Independence Day, Veteran's Day, Labor Day and Memorial Day, such service will be performed, if possible, and will be charged for at the rates published in this tariff, plus \$*5.00 per hour per man for each man required to render the service.
	NOTE: When reference is made to this note, all overtime charges will be subject to a minimum charge for four (4)** hours for call outs or call backs.
	**The minimum charge to be applied by Rio Grande Motor Way, Inc., will be for eight (8) hours.

Item No.	Rules and Regulations	
	14th Revised Page No. 24	
	<p>HOURLY RATES AND ADDITIONAL CHARGES FOR SPECIAL SERVICES: The following charges are in addition to the per hundredweight or per mile transportation charges provided in this tariff and will be assessed on shipments when special services and/or extra labor is required in loading or unloading, or when extra services are required due to weak bridges or other highway obstructions preventing accessibility on the normal route. Also, for stringing material along a right-of-way, to tow, drag, or gather material or equipment to or from loading or unloading place, to pull down, or set up material, machinery or equipment, or wreck or place same in position, or to rig up or to pump liquids on or off tanks. Rates shown below include the services of driver or operator where indicated. All hourly charges shall be computed from the time unit and operator leave carrier's terminal until they return to the carrier's terminal. STRAIGHT TIME rates will be charged for all hours worked except those provided for in Overtime Item No. 220.</p>	
	Equipment	Straight Time Per Hour
	Stake truck and driver.....	\$♦ 11.50
	Winch truck and driver.....	♦ 12.50
	Tail gate lift truck and driver.....	♦ 12.50
	Tractor and hi-bed and driver:	
	Lading not exceeding ♦ 25 tons.....	13.50
	Lading exceeding ♦ 25 tons or stretch trailer...	16.00
270	Tractor and low-bed and driver:	
	Lading not exceeding 25 tons.....	15.00
	Lading exceeding 25 tons but not exceeding 40 tons.....	20.00
	Lading exceeding 40 tons but not exceeding 50 tons.....	25.00
	Lading exceeding 50 tons but not exceeding 60 tons.....	35.00
	Lading exceeding 60 tons.....	75.00
	♦ Trailer only.....	3.00
	Foreman - each.....	♦ 10.00*
	Helpers - each.....	♦ 9.50*
	Helpers (high work) - each.....	(E)
	Rigging foreman - each.....	(E)
	Riggers - each.....	(E)
	*Labor rates apply to teamster labor only. Other crafts furnished at prevailing rates.	
	Fractions of an hour will be charged for at the nearest one-half hour.	
	NOTE 1: A minimum of 2 hours will apply to all straight time at rates above.	
	NOTE 2: Other equipment which is required to transport, push or support lading shall be charged for at the rate or charge of the contractor and such expense shall be borne by the consignor or consignee. Copy of invoice will be attached to carrier's billing.	
	Any extra expense involved in furnishing material and equipment for rigging up, bracing, or moving of wires will be in accordance with the amount required or the expenses incurred.	
	Any necessary travel or subsistence expenses involved in performing the above services are additional.	

SECTION NO. 2						
Distance Commodity Rates						
The following rates will apply on the commodities described on pages 28 to 31.						
9th Revised Page No. 33						
Rates in cents per loaded mile applying between points in all territories. Hourly charges in Item 270 will apply on all distances of 30 miles or less.						
Miles	WEIGHT PER VEHICLE OR COMBINATION OF VEHICLES OPERATED UNDER A SINGLE POWER UNIT: (Subject to Item 330)					
	Less than 30,000 Pounds		30,000 to 40,000 Pounds		40,001 to 50,000 Pounds	
	Rate	Break point (Miles)	Rate	Break point (Miles)	Rate	Break point (Miles)
31 - 50	209	40	231	44	242	44
51 - 70	165	62	198	69	205	66
71 - 90	143	79	182	82	190	85
♦ 91 - 120	124	108	172	110	176	112
121 - 150	110	-	157	137	162	141
151 - 175	110	-	142	168	151	168
176 - 200	110	-	135	182	144	185
201 - 225	110	-	122	215	132	218
226 - 250	110	-	116	-	127	238
Over 250	110	-	116	-	121	-
SECTION NO. 3						
Specific Commodity Rates						
Rates are in cents per 100 pounds (unless otherwise stated)						
Item No.	Commodity Commodities in the same item may be shipped in straight or mixed truck loads.	From (Except as noted in individual items)	To (Except as noted in individual items)	Rates		
736	10th Revised Page No. 38-A Iron or Steel Articles viz.: Angles, NOI; Balls, crushing or grinding, NOI; Bars, NOI; Beams, NOI; Channels, NOI; Mesh or Fabric, reinforcing or supporting; Rails, railway track, NOI, or Rock Bolts and Accessories thereof, minimum weight 45,000 pounds.	Minnequa, Colo.	Urad Mine Site near Empire, Colo.	♦ 39		
	Iron or Steel Articles, viz.: Angles, NOI; Bars, NOI; Beams, NOI; Channels, NOI; Rails, railway track, NOI; Nails or Spikes, NOI, plain or galvanized; Mesh or Fabric, reinforcing or supporting, and Rock Bolts and Accessories thereof, minimum weight 45,000 pounds per trailer.	Minnequa, Colo.	East Portal (located approxi- mately 11 miles from Silver Plume) and to the West Portal (located approxi- mately 8 miles from Dillon) of the Straight Creek Tunnel Project.	♦ 42 ♦ 48		
738	Iron or Steel Articles, viz.: Balls, crushing or grinding, NOI, minimum weight 45,000 pounds.	Minnequa, Colo. Pueblo, Colo.	Climax, Colo.	♦ 40		
	Scrap, iron or steel, NOI. NOTE: The rate on scrap will apply only when a shipment of grinding or crushing balls has been or will be transported in the reverse direction on the same round trip.	Climax, Colo.	Minnequa, Colo. Pueblo, Colo.	\$7.00 per ton of 2000 lbs.		
	This item applies via Denver-Climax Truck Line, Inc.; Eveready Freight Service, Inc.; ▲Northwest Transport Service, Inc.; Rio Grande Motor Way, Inc., or (E), only.					
(E) South Park Motor Lines						

SECTION NO. 3
Specific Commodity Rates

Rates are in cents per 100 pounds (unless otherwise stated)

Item No.	Commodity Commodities in the same item may be shipped in straight or mixed truck loads.	From (Except as noted in individual items)	To (Except as noted in individual items)	Rates
740 (Concluded on page 5-A)	5th Revised Page No. 38-B Iron or Steel Articles, viz.: Blades or Cutting Edges, grader or scraper, steel; Braces or Supports, pole, galvanized, painted or plain; Plate Girders; Stringers; Fabricated Trusses; Steel Concrete Construction Forms; Angles; Balls, Bars or Shapes, crushing or grinding; Nails; Pipe, except oil country tubular goods; Rails; Bars, NOI; Strap, iron or steel; Beams; Channels; Plate or Sheet; Wire; Wire Mesh, welded or woven; Wire Rope or Strand; Wire, Rods or Chain Iron in coils, as described in Item 107500 of the governing classification; Welded or Woven Seamless Tubing; Fence Post Fixtures, wire fence, consisting of brace collars, brace plates, brace rods, face plates, spreaders, tops, caps, clamps, clips and extension arms, or wire fence stays; Fence Posts or Clothes Posts, with or without Equipment of steel fittings or tubular fence post drivers; Fencing or Poultry Netting, welded or woven wire, galvanized, plain, aluminum coated, or with plastic or rubber coating, and parts and pieces constituting a complete article. ① Minimum weight 30,000 pounds per trailer. ② Minimum weight 40,000 pounds per trailer. ③ Minimum weight 46,000 pounds per trailer. ④ Minimum weight 50,000 pounds per trailer. ⑤ Minimum weight 90,000 pounds, subject to Notes 1 and 2 below: NOTE 1: The entire shipment must be available for receipt and movement by the carrier at one time and place. NOTE 2: Charges will be assessed on the basis of not less than 90,000 pounds, and the shipment must be loaded on not more than two vehicles. The excess over the quantity that can be loaded in two vehicles will be treated as a separate shipment. ⑥ Applies via Harp Transportation Line, Inc., or Rio Grande Motor Way, Inc., only. • Subject to loading by the shipper and unloading by the consignee.	Minnequa, Colo. Pueblo, Colo. Minnequa, Colo. Denver, Colo.	Denver, Colo., and points and places within 5 miles of the Denver City Limits. Plant Site of Special Products Co., 4350 Kendrick Ave., Jefferson County.	① 45 ② 35 ④ 30 ⑤ 28
			Glenn L. Martin Plant near Waterton, Colo.	⑤
			Greeley, Colo.	② 42
			Colo. Spgs., Colo.	
			Ft. Carson, Colo.	② 24
			U.S. Air Force Academy, Colo.	
			Golden, Colo.	① 48 ② 38 ④ 33
			Site of Industrial Chemicals Division near Boulder, Colo.	② 41
			Boulder, Colo.	① 49 ② 39 ④ 34
			Eastman Kodak Plant Site near Windsor, Colo.	③ 42
			Pueblo, Colo.	⑤
			Meeker, Colo.	② ⑥ 63
			Craig, Colo.	
			Hayden Power Plant Site near Hayden, Colo.	③ ⑥ 64
			Colo. Spgs., Colo.	② 34
			Pueblo, Colo.	② 35

SECTION NO. 3				
Specific Commodity Rates				
Rates are in cents per 100 pounds (unless otherwise stated)				
Item No.	Commodity Commodities in the same item may be shipped in straight or mixed truck loads.	From (Except as noted in individual items)	To (Except as noted in individual items)	Rates
740 (Concluded)	<p>20th Revised Page No. 39</p> <p>The minimum charge for each vehicle used in transporting shipments of wire mesh, welded or woven, and fencing or poultry netting, welded or woven wire, will be the applicable 30,000 pound rate for 30,000 pounds.</p> <p>On shipments moving under the provisions of this item, three hours' free time will be allowed for loading or waiting to load after equipment has been tendered to shipper for loading, and two hours' free time will be allowed for unloading or waiting to unload after equipment has been tendered to consignee for unloading.</p> <p>All time in excess of the free time allowed will be charged for at \$10.00 per hour. Fractions of an hour will be charged for at the nearest one-half hour.</p> <p>The detention charges due the carrier shall be paid by the consignor or consignee for whom pick-up or delivery is being performed at the site at which the detention occurs, irrespective of the responsibility for the payment of freight or other charges.</p>			
745	<p>Iron or Steel Articles, viz.:</p> <p>Blades or Cutting Edges, grader or scraper;</p> <p>Iron or Steel Articles, as described in Items 104000 through 107520 of National Motor Freight Classification carrying an LTL rating of class 70 or lower;</p> <p>Rock Bolts and accessories thereof.</p> <p>Minimum weight 45,000 pounds per truckload.</p>	pueblo, Colo.	Climax, Colo.	44

- / denotes addition
 ♦ denotes increase
 (E) denotes elimination
 ↓ denotes reduction

APPENDIX "B"

Colorado Motor Carriers' Association, Agent
Motor Freight Tariff No. 13
Colorado P. U. C. No. 12*

(*The Motor Truck Common Carriers' Association, Agent, Series)

Amended Item 200

MOVING EMPTY EQUIPMENT:

- (A) When the origin of a shipment is a point at which the carrier handling the shipment does not have equipment suitable for transporting the shipment, a charge of 40¢ per deadhead mile will be assessed from the nearest point at which carrier's equipment is located to the point of origin of the shipment.
- (B) When the deadhead miles for returning the empty equipment to the point at which carrier's equipment is normally stationed, or to the point of immediate subsequent use of the equipment, whichever is less, exceeds 100 per cent the total loaded miles traveled, a charge of 40¢ per mile will be assessed on the excess amount of deadhead miles over loaded miles.
- (C) When at the request of consignor or consignee the carrier dispatches equipment to a point of origin and, through no fault of the carrier, a shipment is not tendered to the carrier, a charge of 40¢ per mile will be assessed based on the mileage from the point at which equipment was dispatched to designated point of origin and return via the same route.
- (D) In all instances, mileages to apply in paragraphs (A), (B) and (C) above will be computed in accordance with the provisions of item 180.

♦ denotes increase

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF	)	APPLICATION NO. 24604-PP
WELLS FARGO ARMORED SERVICE CORPORA-	)	Extension Amended
TION, 210 BAKER NORTHEAST, P. O. BOX)	
4313, ATLANTA, GEORGIA, FOR A CERTI-)	
FICATE OF PUBLIC CONVENIENCE AND)	
NECESSITY TO EXTEND OPERATIONS UNDER)	
PERMIT NO. B-958 AND PERMIT NO. B-958-I)	
BY REMOVING THE FOLLOWING RESTRICTION:)	
"ITEM 3 OF THIS PERMIT, IS SPECIALLY)	
RESTRICTED TO THE USE OF ONLY ARMORED)	
CARS AND ARMED GUARDS.")	

- - - - -
July 13, 1971
- - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On July 7, 1971, Denver-Boulder Bus Company and Colorado Motorway, Inc., by their attorneys Holland & Hart, filed a Petition to Intervene and Protest in the above-captioned proceeding.

The Commission states and finds that Petitioners for Intervention, Denver-Boulder Bus Company and Colorado Motorway, Inc., are parties who may or might be interested in or affected by any order which may be entered in this proceeding and that the intervention should be authorized.

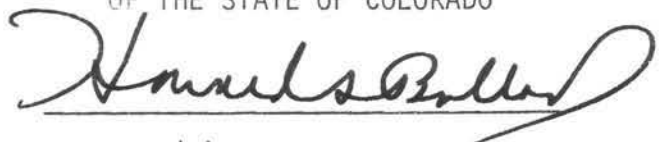
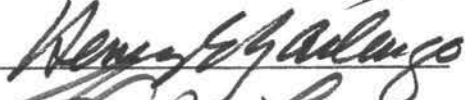

O R D E R

THE COMMISSION ORDERS:

That the Petition to Intervene by Denver-Boulder Bus Company and Colorado Motorway, Inc., be, and the same hereby is, granted.

That this Order shall be effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 13th day of July, 1971.

js

(Decision No. 78129)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF	)	APPLICATION NO. 24829-Stock Transfer
EARL F. BUCKINGHAM, 2401 SOUTH)	
DOWNING, DENVER, COLORADO, TO PURCHASE	)	ORDER DENYING APPLICATION FOR
ALL OF THE OUTSTANDING STOCK OF	)	REHEARING, REARGUMENT OR
GOTTULA TRUCKING AND TRANSPORTATION,	)	RECONSIDERATION
INC., PUEBLO, COLORADO, RECORD)	
OWNER OF PUC NO. 222 AND PUC NO.)	
222-I, FROM RAYMOND G. GOTTULA,)	
P. O. BOX 112, PUEBLO, COLORADO.)	

July 13, 1971

Appearances: Truman A. Stockton, Esq., Denver,
Colorado, for Applicants.
Warren D. Braucher, Esq., Denver,
Colorado, for Northwest Transport
Service, Inc.; North Eastern Motor
Freight, Inc.; and Westway Motor
Freight, Inc., Protestants.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On June 15, 1971, the Commission by Decision No. 77924, affirmed and adopted the Recommended Decision and Order of Robert L. Pyle, Examiner, (Decision No. 77653), as the Order of the Commission in the above-entitled matter and denied Exceptions filed by the Applicants June 8, 1971. Commissioner Henry E. Zarlengo dissented thereto.

On July 6, 1971, Earl F. Buckingham (Transferor) and Gottula Trucking and Transportation, Inc (Transferee), through their attorneys, Stockton and Lewis, filed an Application for Rehearing, Reconsideration or Reargument of Decision No. 77924 dated June 15, 1971.

The Commission states and finds that Protestants' Application for Rehearing, Reconsideration or Reargument does not set forth sufficient grounds for any change or modification and that said Application should

therefore be denied as set forth in the Order following.

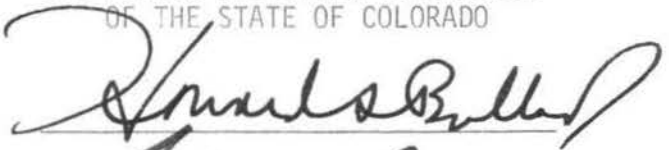

O R D E R

THE COMMISSION ORDERS THAT:

The Application for Rehearing, Reconsideration or Reargument of Decision No. 77924 dated June 15, 1971, filed on July 6, 1971, by Protestants Earl F. Buckingham (Transferor) and Gottula Trucking and Transportation, Inc. (Transferee), be, and hereby is, denied.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

COMMISSIONER HENRY E. ZARLENGO DISSENTING:

For the reasons and to the extent, as set forth in Decision No. 77924, I dissent to the foregoing Order Denying Application for Rehearing, Reconsideration or Reargument.


Commissioner

Dated at Denver, Colorado,
this 13th day of July, 1971.
js

(Decesion No. 78130)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WELLS FARGO ARMORED SERVICE CORPORA-)
TION, 210 BAKER NORTHEAST, P. O.)
BOX 4313, ATLANTA, GEORGIA, FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY TO EXTEND OPERATIONS)
UNDER PERMIT NO. B-5540 BY REMOVING)
THE FOLLOWING RESTRICTION: "AS MAY)
REQUIRE ARMED PROTECTION DURING)
TRANSIT.")

APPLICATION NO. 24605-PP
Extension Amended

July 13, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On July 7, 1971, Denver-Boulder Bus Company and Colorado Motorway, Inc., by their attorneys Holland & Hart, filed a Petition to Intervene and Protest in the above-captioned proceeding.

The Commission states and finds that Petitioners for Intervention, Denver-Boulder Bus Company and Colorado Motorway, Inc., are parties who may or might be interested in or affected by any order which may be entered in this proceeding and that the intervention should be authorized.

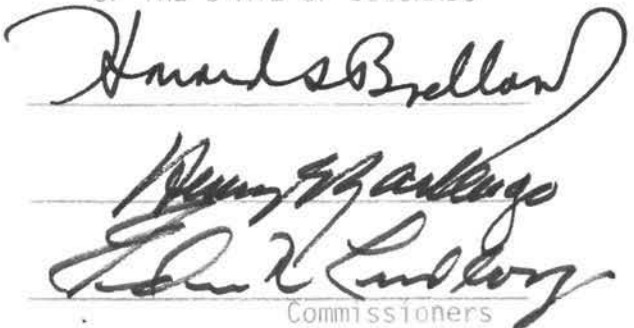
O R D E R

THE COMMISSION ORDERS:

That the Petition to Intervene by Denver-Boulder Bus Company and Colorado Motorway, Inc., be, and the same hereby is, granted.

That this Order shall be effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 13th day of July, 1971.

(Decision No. 78131)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	APPLICATION NO. 24638
WELLS FARGO ARMORED SERVICE)	SUPPLEMENTAL ORDER
CORPORATION, A CORPORATION, 210)	
BAKER STREET, N. E., P. O. BOX)	
4313, ATLANTA, GEORGIA, FOR A CERTI-)	
FICATE OF PUBLIC CONVENIENCE AND)	
NECESSITY TO OPERATE AS A MOTOR)	
VEHICLE COMMON CARRIER FOR HIRE.)	

-- -- -- -- --
July 13, 1971
-- -- -- -- --

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On July 8, 1971, Protestants, Colorado Cartage Company, Inc., and Murph's Express, Inc., by their attorneys Stockton and Lewis, filed their Motion for Extension of Time to File Application for Rehearing, Reargument, or Reconsideration of Decision No. 78035, dated June 23, 1971, until twenty (20) days after the certification of the transcript by the reporter.

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

O R D E R

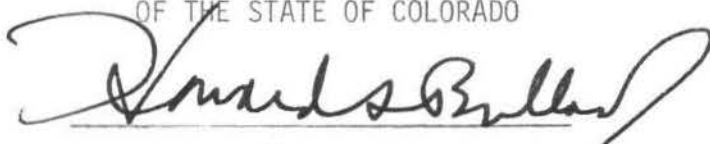
THE COMMISSION ORDERS THAT:

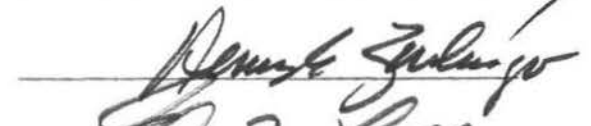
The Protestants, Colorado Cartage Company, Inc., and Murph's Express, Inc., be, and hereby are, granted an extension of time within which to file Application for Rehearing, Reargument, or Reconsideration


of Commission Decision No. 78035, dated June 23, 1971, until twenty (20) days after the certification of the transcript of the proceedings by the official reporter.

This Order shall be effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO






Commissioners

Dated at Denver, Colorado,
this 13th day of July, 1971.
js

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

ROCKY MOUNTAIN MOTOR COMPANY, INC.,)	
3455 RINGSBY COURT,)	
DENVER, COLORADO,)	
Complainant,)	
vs.)	CASE NO. 5436
CONTINENTAL BUS SYSTEM, INC., (ROCKY)	
MOUNTAIN LINES DIVISION), AMERICAN)	
BUS LINES, INC., DENVER-COLORADO)	
SPRINGS-PUEBLO MOTORWAY, INC.,)	
DENVER-SALT LAKE-PACIFIC STAGES,)	
2450 STOUT STREET,)	
DENVER, COLORADO,)	
Respondents.)	

July 14, 1971

ORDER OF THE COMMISSION GRANTING EXCEPTIONS AND
DISMISSING COMPLAINT

Appearances: Walter M. Simon, Esq.,
Denver, Colorado, for
Complainant.
John R. Barry, Esq.,
Denver, Colorado, for
Respondents.

PROCEDURE AND RECORD

Under date of August 18, 1970, Rocky Mountain Motor Company, Inc. (hereinafter referred to as "Complainant"), by and through its attorney, Walter M. Simon, filed a Complaint with this Commission against Continental Bus System, Inc., (Rocky Mountain Lines Division); American Bus Lines, Inc.; Denver-Colorado Springs-Pueblo motorway, Inc.; and Denver-Salt Lake-Pacific Stages, Inc. (hereinafter referred to as "Respondents"), alleging generally that Respondents are conducting charter service as a common carrier of passengers by bus from point to point

within the corporate limits of the City and County of Denver; that said Respondents have no authority from the Public Utilities Commission to engage in any intra-Denver charter service; and that the intra-Denver charter service being performed by Respondents is beyond the scope of their authority.

The Commission assigned Docket No. 5436 to the case.

The Commission issued its ORDER TO SATISFY OR ANSWER and, following receipt of ANSWER of Respondents, set the matter for hearing. Respondents' ANSWER was to the effect that they hold the authority to conduct charter operations intra-Denver, that they are performing services thereunder and that they are not operating outside the scope of their authority.

Pursuant to law, the Commission designated Robert L. Pyle as Examiner for the purpose of conducting a hearing on this application and, after due and proper notice to all interested persons, firms, or corporations, set the herein matter for a hearing to be held in the Hearing Room of the Commission, Columbine Building, 1845 Sherman Street, Denver, Colorado, on February 23, 1971, at 10 a.m. The hearing was held at the said time and place.

Ralph F. Berndt and Joe Gareis testified at the hearing.

Exhibit Nos. 1, 2, and 3 were tendered and admitted into evidence. Complainant was directed to and did not file as a late-filed Exhibit an Abstract of Pertinent Data taken from the Charter Bus Orders that Respondents had furnished pursuant to Subpoena Duces Tecum. Also, notice was taken of Commission Decision No. 72432 and the authority of Rocky Mountain Motor Company, Inc., being Certificates of Public Convenience and Necessity PUC No. 55 and PUC No. 55-I. Also, notice was taken of Commission Decision No. 7516, dated April 20, 1936.

At the conclusion of the hearing, the matter was taken under advisement and, by agreement of the parties, both Complainant and Respondents were directed to file Simultaneous Statements of Position on or before April 30, 1971. Respondents requested and were granted an extension to and including May 15, 1971, within which to file their Statement of Position. For reasons best known to Respondents, no such Statement of Position was filed as of May 18, 1971, and it is presumed that they do not wish to file such a Statement.

On May 19, 1971, Examiner Robert L. Pyle entered his Recommended Decision No. 77667 ordering Respondents to cease and desist from performing charter bus service from point to point within the City and County of Denver as prayed for in the Complaint. On June 28, 1971, Respondents timely filed exceptions to the said Recommended Decision.

Upon reconsideration of the matter as required by statute, the Commission finds that it should enter its decision and order herein without regard to the findings of fact and conclusions of the Examiner in his Recommended Decision.

FINDINGS OF FACT

From the record herein the Commission finds as fact that:

1. This is a complaint case filed by Complainant against Respondents alleging that Respondents are conducting charter service as a common carrier of passengers via bus from point to point within the corporate limits of the City and County of Denver, that said Respondents have no authority from this Commission so to do, and that said intra-Denver service is beyond the scope of its authority.

2. By way of answer to the Complaint, Respondents admitted that they are the owners of certain Certificates of Public Convenience and Necessity issued by the Public Utilities Commission of the State of Colorado

which include the right to engage in charter bus service. They further allege that they are authorized to perform charter service intra-Denver and deny that they are performing any service outside the scope of their authorities.

3. By Commission Decision No. 7516 dated April 20, 1936, upon a joint hearing with several applications, Respondents were granted an extension to their Certificate of Public Convenience and Necessity PUC No. 761 for

"occasional motor coach service by special charter for the transportation of passengers from point to point with the State of Colorado."

4. Respondents have no other charter service authority that would allow them to serve intra-Denver except as stated in finding number three (3) above.

5. At the time Commission Decision No. 7516 was issued, regulation of public utilities wholly within the City and County of Denver under Article 20 of the Constitution of Colorado was vested in the City and County of Denver as a home rule city.

6. On June 16, 1953, by Amendment to the Charter of the City and County of Denver, all power to regulate public utilities within the City and County of Denver was restored to the State of Colorado and thereafter the Public Utilities Commission took over the regulation of public utilities within the City and County of Denver. Upon the passage of the 25th Amendment to the Constitution of the State of Colorado in 1954, all power to regulate public utilities within or without home rule cities was vested in the Public Utilities Commission.

7. Immediately following the 1953 Denver Charter Amendment, taxi cab companies and a number of bus companies filed applications with the Commission for extensions of their authorities so as to authorize service wholly within the City and County of Denver. The Commission granted and approved such intra-Denver authority as a matter of course for all such carriers who had previously lawfully commenced operations within the City and County of Denver. Such authority was granted on the basis of "grandfather" rights (see in particular Commission Decision No. 41032 dated May 28, 1953). Likewise, Colorado Transportation Company (predecessor of Complainant) applied for and was granted an extension to its authority so as to permit intra-Denver operations under Certificates of Public Convenience and Necessity PUC No. 55, PUC No. 56 and PUC No. 1997 by Commission Decision No. 46214.

8. Respondents do and have since before the 1953 Charter Amendment, knowingly, willingly and regularly engaged in charter bus service from point to point within the City and County of Denver. Such public utility service was lawfully commenced at the time when the power to regulate public utilities within home rule cities, including the City and County of Denver, was not within the jurisdiction of the Commission. Neither the passage of the Charter Amendment in 1953, nor the 1954 Amendment to the Colorado Constitution could or did abridge the right of Respondents to provide such service.

9. The extensions of authority to provide intra-Denver service, granted to other carriers subsequent to the Charter Amendment as stated in findings above, were largely ministerial acts of the Commission insofar as such extensions were based on the carriers' "grandfather" rights and their previously lawful operations between points within the city. A number of such certificates did not enumerate the authority to provide service within

the city and therefore needed to be revised to reflect the actual operating rights of the carriers involved; however, no revision of the Respondents' Certificate PUC No. 761 is or was required to authorize charter service from point to point within the City and County of Denver as the certificate already provides authority from point to point within the entire State of Colorado.

CONCLUSIONS ON FINDINGS OF FACT

Commission concludes that Respondents are lawfully providing charter service from point to point within the City and County of Denver; and that The Complaint should be dismissed and the following order entered.

O R D E R

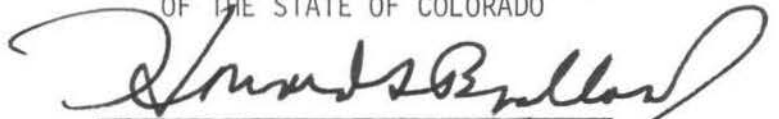
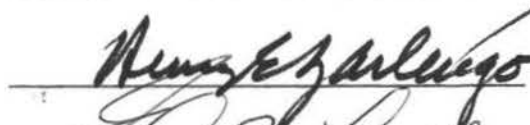
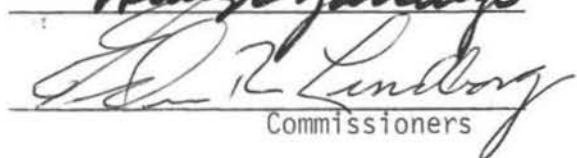
THE COMMISSION ORDERS THAT:

The Complaint be, and hereby is, dismissed.

Respondents' exceptions to the Recommended Decision of the Examiner, it being Decision No. 77667, be, and hereby are, granted.

This Order shall be effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 14th day of July, 1971.

js

(Decision No. 78133)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION)
OF COLORADO CARTAGE COMPANY, INC.,)
5275 QUEBEC STREET, COMMERCE CITY,)
COLORADO, FOR A CERTIFICATE OF)
PUBLIC CONVENIENCE AND NECESSITY) APPLICATION NO. 24654-Extension-Amended
TO EXTEND OPERATIONS UNDER PUC NO.)
692 AND PUC NO. 692-I, INCLUDING)
SUBSTITUTE SERVICE BY AIRCRAFT.)

July 13, 1971

STATEMENT AND FINDINGS OF FACT
BY THE COMMISSION:

On July 7, 1971, Denver-Boulder Bus Company and Colorado Motorway, Inc., by their attorneys, Holland & Hart, filed a Petition to Intervene and Protest in the above-captioned proceeding.

The Commission states and finds that Petitioners for Intervention, Denver-Boulder Bus Company and Colorado Motorway, Inc., are parties who may or might be interested in or affected by any order which may be entered in this proceeding and that the intervention should be authorized.

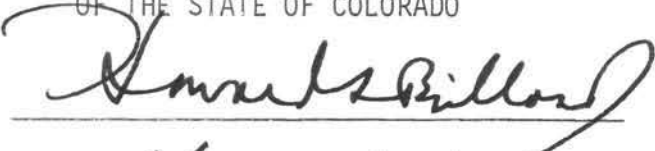


ORDER

THE COMMISSION ORDERS:

That the Petition to Intervene by Denver-Boulder Bus Company and Colorado Motorway, Inc., be, and the same hereby is, granted.

That this Order shall be effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
13th day of July, 1971.

vjr

(Decision No. 78134)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE COUNTY OF ADAMS FOR AUTHORITY)
TO INSTALL GRADE CROSSING PROTECTION)
DEVICES AT LOWELL BOULEVARD IN ADAMS)
COUNTY, COLORADO, WHERE THE SAME)
CROSS THE DENVER AND RIO GRANDE)
WESTERN RAILROAD COMPANY RAILROAD)
TRACKS AT MILEPOST 5.28 AND THE)
COLORADO & SOUTHERN RAILWAY COMPANY)
RAILROAD TRACKS AT MILEPOST 5.17)
AND TO CLOSE A GRADE CROSSING OVER)
SAID TRACKS AT TENNYSON STREET IN)
ADAMS COUNTY, COLORADO.)

APPLICATION NO. 22348-Amended

ORDER GRANTING EXTENSION OF TIME
FOR FILING EXCEPTIONS

- - - - -
July 13, 1971
- - - - -

Appearances: Robert R. Gehler, Esq.,
Commerce City, Colorado,
for Applicant;
John S. Walker, Esq.,
Denver, Colorado, for
The Denver and Rio Grande Western
Railroad Company, in support of
the application, and
Willard L. Peck, Esq.,
Denver, Colorado, for
Colorado & Southern Railway Company,
in support of the application;
Arnold Alperstein, Esq.,
Lakewood, Colorado, for
Baker Metropolitan Water and
Sanitation District,
Protestant;
Anthony V. Zarlengo, Esq.,
Denver, Colorado, for and on
behalf of 103 individually
interested persons as Protestants;
Stephen G. Heady, Esq.,
Lakewood, Colorado, for
Melvin E. Thoutt and Carl Thoutt, Jr.,
Protestants;
Mr. and Mrs. Vern G. Brown,
Denver, Colorado,
Protestants, pro se;
Girts Krumins, Esq.,
Denver, Colorado, for the
Staff of the Commission.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On June 24, 1971, the Recommended Decision No. 78043 of Robert L. Pyle, Examiner, was entered and served upon the parties. Section 115-6-9 (2), CRS 1963, as amended, provides that exceptions shall be filed within twenty (20) days after service of the Recommended Decision upon the parties or within such extended period of time as the Commission may authorize in writing.

On July 8, 1971, Protestants, Melvin E. Thoutt and Carl Thoutt, Jr., by their Counsel, Tinsley, Frantz and Heady (also on behalf of Arnold Alperstein, counsel for Protestant, Baker Metropolitan Water and Sanitation District), filed with the Commission a Motion Requesting an Extension of Time within which to file exceptions to the Recommended Decision of the Examiner until July 23, 1971.

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

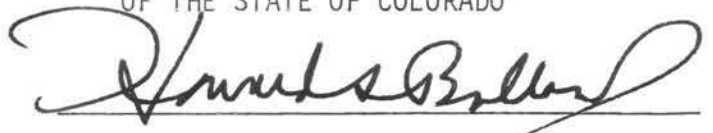

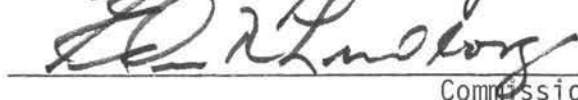
O R D E R

THE COMMISSION ORDERS THAT:

The Protestants, Melvin E. Thoutt and Carl Thoutt, Jr., and Baker Metropolitan Water and Sanitation District, be, and hereby are, granted an extension of time within which to file exceptions to the said Recommended Decision of the Examiner until and including July 23, 1971.

This Order shall be effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
13th day of July, 1971.

vjr

(Decision No. 78135)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
THE CROWN SERVICE CO.)
509 - 11 WEST MAIN STREET)
TRINIDAD, COLORADO 81082)

PERMIT NO. M-1246

July 13, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

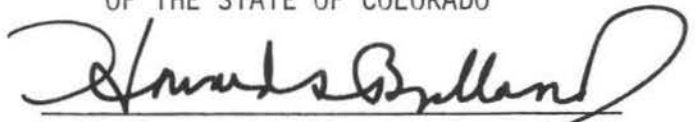
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

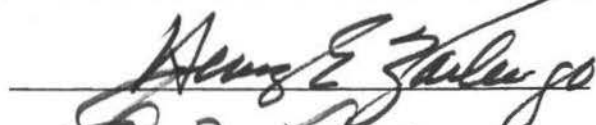
O R D E R

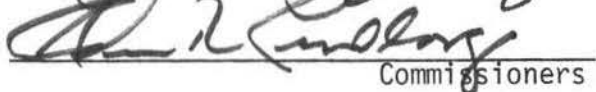
THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective June 13, 1971.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO






Commissioners

Dated at Denver, Colorado,
this 13th day of July, 1971.
vjr

(Decision No. 78136)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
COGBURN DISTRIBUTING COMPANY)
P. O. BOX 53)
GILCREST, COLORADO 80623)
-----)

PERMIT NO. M-1746

July 13, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

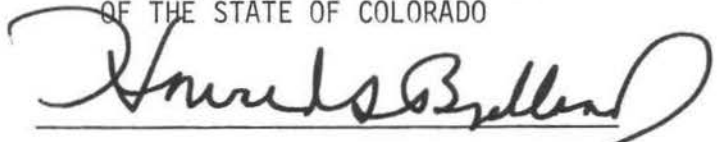
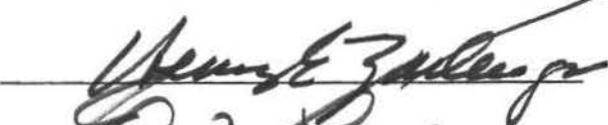
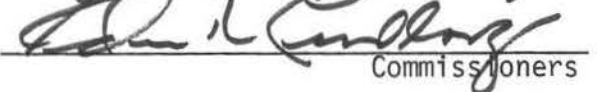
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective July 4, 1971.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 13th day of July, 1971.
vjr

(Decision No. 78137)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
WILLIAM L. FIXEN AND JOE RENSHAW)
DOING BUSINESS AS)
FARMERS CREAMERY COMPANY)
205 STATE STREET)
FORT MORGAN, COLORADO 80701)

PERMIT NO. M-4134

July 13, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

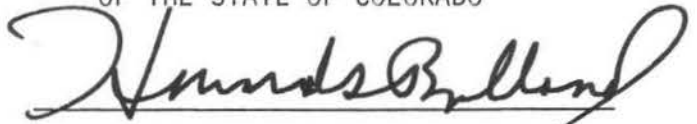
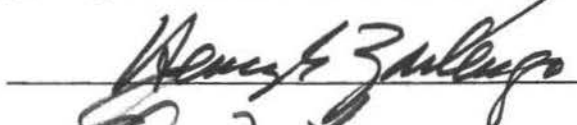

The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective June 25, 1971.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 13th day of July, 1971.
vjr

(Decision No. 78138)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
JOHN C. VINCENT)
BOX 534)
AULT, COLORADO 80610)

PERMIT NO. M-6297

July 13, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

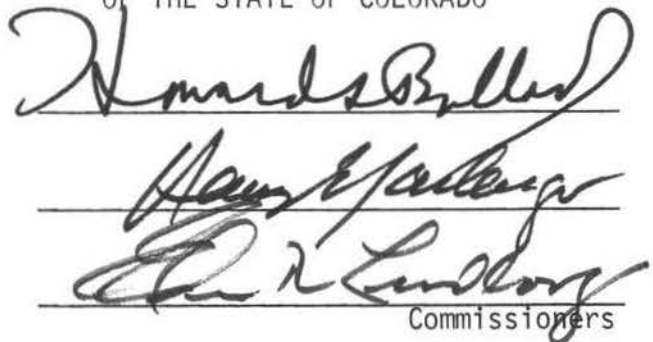
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective May 24, 1971.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 13th day of July, 1971.
vjr

(Decision No. 78139)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
ANTHONY J. CARROCH DOING BUSINESS)
AS C AND C BULK DEALER)
720 F STREET)
SALIDA, COLORADO 81201)

PERMIT NO. M-7878

July 13, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

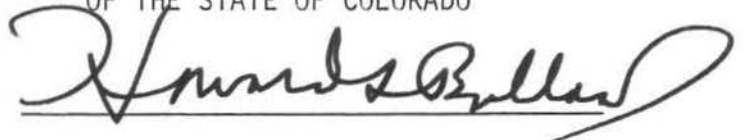


The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective June 14, 1971.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 13th day of July, 1971.
vjr

(Decision No. 78140)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
JAMES E. WILKINS DOING BUSINESS)
AS J AND P DISTRIBUTORS)
P. O. BOX 1083)
CRAIG, COLORADO 81625)

PERMIT NO. M-8344

July 13, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

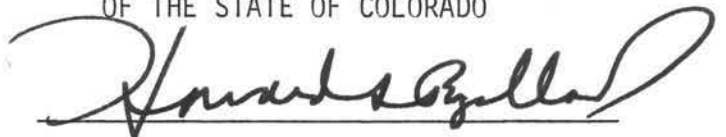


The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective July 6, 1971.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 13th day of July, 1971.
vjr

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
ACCURATE LINOLEUM AND TILE COMPANY)
3952 SOUTH BROADWAY)
ENGLEWOOD, COLORADO 80110)

PERMIT NO. M-9474

July 13, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is,
cancelled effective May 29, 1971.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

OF THE STATE OF COLORADO

James Bullen

James H. Hinkle

Edw. L. Lindsay

Commissioners

Dated at Denver, Colorado,
this 13th day of July, 1971.
vjr

(Decision No. 78142)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
EMMETT D. BONNER)
1736 HANOVER)
AURORA, COLORADO 80010)
-----)

PERMIT NO. M-13205

July 13, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

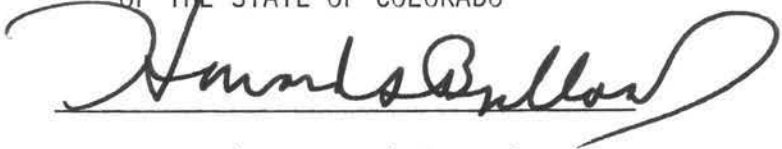
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.


O R D E R


THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective June 8, 1971.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO






Commissioners

Dated at Denver, Colorado,
this 13th day of July, 1971.
vjr

(Decision No. 78143)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ISIDORO QUINTANA, DOING BUSINESS AS)
"VAIL TAXI SERVICE," P. O. BOX 281,)
MINTURN, COLORADO, FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY)
TO OPERATE AS A COMMON CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 24731

RECOMMENDED DECISION OF
HOWARD S. BJELLAND,
COMMISSIONER

- - - - -
July 13, 1971
- - - - -

Appearances: Stewart H. Brown, Esq.,
Vail, Colorado, for
Isidoro Quintana, doing business as
"Vail Taxi Service," Applicant;
Robert G. Shepherd, Jr., Esq.,
Denver, Colorado, for
Aspen Cab Service Company and
Little Percent, Inc.,
Protestants.

PROCEDURE AND RECORD

On January 4, 1971, Isidoro Quintana, hereinafter referred to either by full name or as Applicant, filed the instant application (No. 24731) seeking a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire for the following transportation service:

Taxicab service for the transportation of
passengers and baggage on call and demand

- (1) Between all points within Vail,
Colorado, and
- (2) From said points to all points located
within a twenty-five (25) miles radius
of the intersection of Bridge Street
and Gore Creek Drive in Vail, Colorado.

On January 11, 1971, Aspen Cab Service Company and Little Percent, Inc., filed a protest to the said application, based on Certificate of Public Convenience and Necessity PUC No. 1681. At the time the protest was filed, such certificate was owned by Little Percent, Inc., and an

application to transfer such certificate had been filed with the Commission. On February 22, 1971, the Commission in said application (No. 24678) entered Decision No. 76958 authorizing the transfer of PUC No. 1681 to Aspen Cab Company and Little Percent, Inc., a limited partnership doing business as "Aspen Cab Service Company." This certificate, inter alia, authorizes the owner and operator thereof to provide taxicab service in Vail.

After due and proper notice, hearing on the application (No. 24731) was held at the Town Hall in Minturn, Colorado, at 10 a.m. on July 8, 1971, before Commissioner Howard S. Bjelland. At such hearing, Isidoro Quintana, Jeff Taylor, Johann Mueller and Robert T. Lazier were called as witnesses for the Applicant, and William Doyle and Larry Neff were called as witnesses for the Protestants. Exhibit No. 1, a multi-page document consisting of letters and petitions supporting the application, was identified by Isidoro Quintana and admitted in evidence. Exhibit No. 2, a copy of the letter of authority relating to PUC No. 1681, and Exhibit No. 3, an equipment list of Aspen Cab Service Company, were identified by William Doyle and admitted in evidence. Upon the conclusion of the hearing, the presiding Commissioner took the matter under advisement.

FINDINGS OF FACT

After due and careful consideration of the entire record in this proceeding, the Hearing Commissioner finds as fact from such record that:

1. Isidoro Quintana, P. O. Box 281, Minturn, Colorado, is the Applicant in this proceeding. By the instant application, he seeks a certificate of public convenience and necessity to provide taxicab service as set forth above.

2. Isidoro Quintana has operated for some years as a contract carrier under Permit No. B-7314 issued by this Commission and as a commercial carrier under M-15675. He is generally familiar with the

rules and regulations of the Commission. He has had no specific experience in operating a common carrier taxicab service, but has many years of general experience in transportation.

3. Isidoro Quintana has total assets in the approximate amount of \$153,000 and a net worth of approximately \$88,000.

4. Isidoro Quintana is fully qualified and is a proper and fit person to provide common carrier taxicab service in the Vail area under the laws of the State of Colorado, and the rules and regulations of the Commission.

5. If the authority sought herein should be granted, the Applicant intends to provide 24-hour-a-day taxicab service on a year round basis with an office for such service located in a building in Vail to be constructed and owned by Robert T. Lazier. Applicant would intend initially to purchase a new GMC 9-passenger bus for a price which he estimates to be between \$4,000 and \$5,000 to institute his proposed taxicab service. The proposed initial service would be adequate.

6. Certificate of Public Convenience and Necessity PUC No. 1681 issued by this Commission was originally owned and operated by Little Percent, Inc. In Decision No. 76958 entered in Application No. 24678 on February 22, 1971, the Commission authorized the transfer of such certificate to "Aspen Cab Company (a Colorado corporation) and Little Percent, Inc. (a Colorado corporation), a limited partnership doing business as 'Aspen Cab Service Company.' " As relevant in this proceeding, PUC No. 1681, inter alia, authorizes

"(1) Transportation -- in taxicab service -- of
Passengers and their baggage

Between points in the Counties of Garfield, Eagle, and Pitkin, State of Colorado, which are within a twelve (12) mile radius of Glenwood Springs, Aspen, and Vail, Colorado, and to and from said points from and to all points in the State of Colorado.

RESTRICTIONS: Item No. 1 of this Certificate
is restricted as follows:

- (a) Restricted to the use of only vehicles having a capacity not to exceed seven (7) passengers.
- (b) Offices for the solicitation of business shall be located only within a twelve (12) mile radius of Glenwood Springs, Vail, or Aspen, Colorado."

Aspen Cab Service Company has been providing taxicab service under such authority in Vail since January 17, 1971.

7. From January 17, 1971, to sometime in April, Aspen Cab Service Company operated two vehicles in the Vail area providing taxicab service. Such company is presently operating one taxicab vehicle in such area. Total revenues derived by such company from January 17, 1971, to the date of the hearing approximated \$3,149. The company has received only one or two calls for taxicab service in the months of May and June of 1971.

8. Considering the extremely limited demand for taxicab service in the Vail area, as established by the evidence introduced in this proceeding, the taxicab service presently provided by Aspen Cab Service Company, though by no means perfect, is adequate, and should improve substantially as the new company gains operating experience.

9. Considering the extremely limited demand for taxicab service in the Vail area, as established by the evidence introduced in this proceeding, there is not sufficient taxicab business available in the Vail area to justify competitive taxicab service.

10. The Applicant has failed to establish by competent evidence that public convenience and necessity requires, or will require, that the certificate of public convenience and necessity which he seeks should be granted.

The Hearing Commissioner concludes that the instant application should be denied and, pursuant to 115-6-9 (2), CRS 1963, as amended, recommends that the Commission enter the following

O R D E R

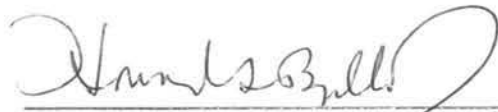
THE COMMISSION ORDERS:

1. That the instant application (No. 24731) be, and the same hereby is, denied.

2. That this Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinabove set out.

3. That as provided by 115-6-9 (2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period of time as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed within such time by the Commission upon its own motion, such Recommended Decision shall become the Decision of the Commission and subject to the provisions of 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioner
vjr

(Decision No. 78144)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
PASSAIC GRAIN & WHOLESALE CO., INC.,)	
P. O. BOX 23, PASSAIC, MISSOURI 64777,)	
FOR AUTHORITY TO TRANSFER INTERSTATE)	PUC NO. 6435-I-Transfer
OPERATING RIGHTS TO NATIONAL EXPRESS-)	
WAYS, INC., P. O. BOX 23, PASSAIC,)	
MISSOURI 64777.)	

- - - - -
July 15, 1971
- - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, Passaic Grain & Wholesale Co., Inc., Passaic, Missouri, was granted a certificate of public convenience and necessity, being PUC No. 6435-I, authorizing operation as a common carrier by motor vehicle for hire:

"Authority to use equipment in the State of Colorado as a common interstate carrier 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."

Said certificate-holder now seeks authority to transfer said PUC No. 6435-I to National Expressways, Inc., a corporation, Passaic, Missouri.

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

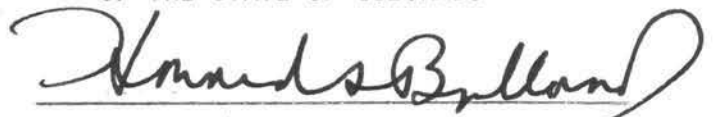
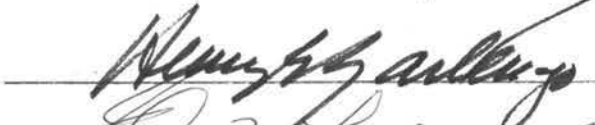

THE COMMISSION ORDERS:

That Passaic Grain & Wholesale Co., Inc., Passaic, Missouri, be, and hereby is, authorized to transfer all right, title and interest

in and to PUC No. 6435-I -- with authority as set forth in the Statement preceding which is made a part hereof by reference -- to National Expressways, Inc., a corporation, Passaic, Missouri, subject to encumbrances against said operating rights, if any, 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
15th day of July, 1971.

vjr

(Decision No. 78145)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF }
ALAN W. COUNTRYMAN, DOING BUSINESS }
AS "AL'S BLADE SERVICE," 670 GARLAND }
STREET, LAKEWOOD, COLORADO 80215. }

PUC NO. 7444-I

July 15, 1971

STATEMENT AND FINDINGS OF FACT
BY THE COMMISSION:

The Commission is in receipt of a communication from the above-styled certificate holder requesting authority to do business under the trade name and style of Alan Countryman, doing business as "Countryman Excavating Co.," in the conduct of operations under PUC No. 7444-I.

The Commission states and finds that said request is compatible with the public interest and should be granted as set forth in the Order following.

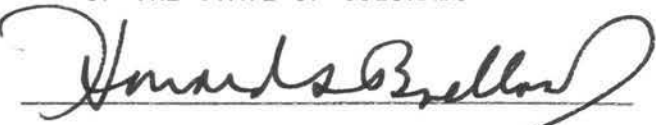

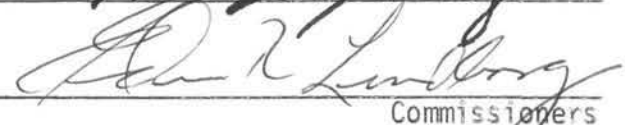
ORDER

THE COMMISSION ORDERS:

That Alan W. Countryman, doing business as "Al's Blade Service," be, and hereby is, authorized to conduct operations under the name and style of Alan Countryman, doing business as "Countryman Excavating Co.," in the conduct of operations under PUC No. 7444-I, and that the Secretary of the Commission be, and hereby is, directed to change the records of the Commission to reflect the same.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
15th day of July, 1971.

vjr

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
CLIFF OWEN AND PEGGY OWEN, 201)
SOUTH MAIN, LAMAR, COLORADO 81052.)

PERMIT NO. B-2971 and
PERMIT NO. B-2971-I

- - - - -
July 15, 1971
- - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission is in receipt of a communication from the above-named permit holders requesting that they be authorized to add the trade name of "Cliff Owen Trucking," and conduct operations under the name and style of Cliff Owen and Peggy Owen, doing business as "Cliff Owen Trucking" in the conduct of operations under Permit No. B-2971 and Permit No. B-2971-I.

The Commission states and finds that said request is compatible with the public interest and should be granted as set forth in the Order following.

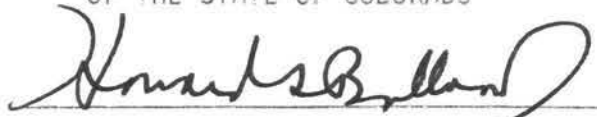


O R D E R

THE COMMISSION ORDERS:

That Cliff Owen and Peggy Owen be, and hereby are, authorized to conduct operations under the name and style of Cliff Owen and Peggy Owen, doing business as "Cliff Owen Trucking," in the conduct of operations under Permit No. B-2971 and Permit No. B-2971-I, and that the Secretary of the Commission be, and hereby is, directed to change the records of the Commission to reflect the same.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
15th day of July, 1971.

vjr

(Decision No. 78147)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
ENOS J. DAVIS,)
DOING BUSINESS AS DAVIS)
5978 SOUTH LOUTHAN STREET)
LITTLETON, COLORADO 80120)

PERMIT NO. B-6723
SUPPLEMENTAL ORDER

July 16, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, the Commission authorized the above-named carrier to suspend operations under the above-entitled authority.

The files and records of the Commission disclose that said carrier has failed to request in writing reinstatement of said authority as provided in the suspension Order, and that said carrier has been previously duly notified by the Commission of such failure.

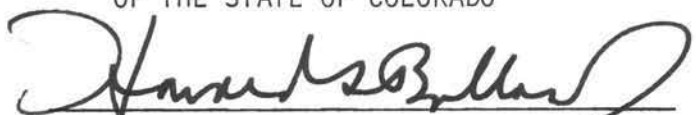
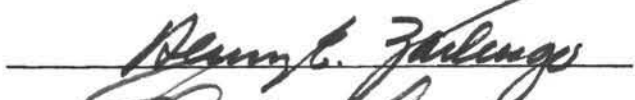
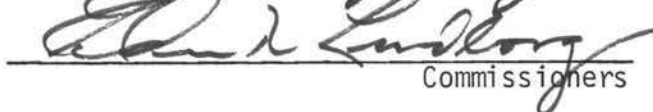
The Commission states and finds that said above-entitled authority should be cancelled and revoked as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled and revoked as of July 1, 1971.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado
this 16th day of July, 1971.
vjr

(Decision No. 78148)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
DORIS CHRISTENSEN)
RANGELY ROUTE)
MEEKER, COLORADO 81641)

PERMIT NO. B-7545

July 16, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner of the above-entitled authority requesting that the same be suspended.

The Commission states and finds that to grant the herein request for suspension will be in the public interest and should be granted as set forth in the Order following.

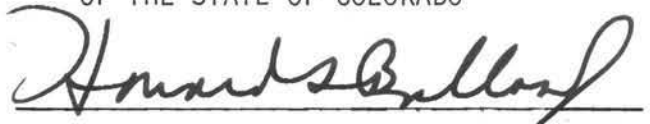
O R D E R

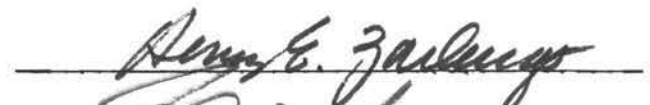
THE COMMISSION ORDERS:

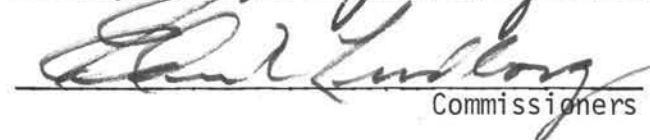
That suspension of the motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized by the Commission from July 1, 1971, to and including January 1, 1972.

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made with the Commission, 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 16th day of July, 1971.
vjr

(Decision No. 78149)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
ALVIS WARREN)
BOX 1077)
KERMIT, TEXAS 79745)

PUC NO. 6426-I

July 16, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

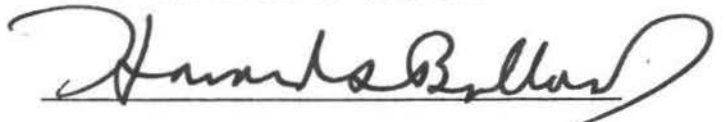
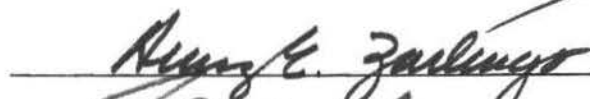
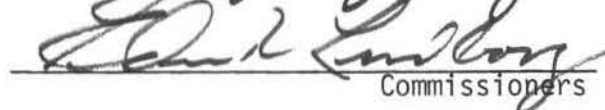
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective July 1, 1971.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 16th day of July, 1971.
vjr

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
CERTIFICATE OF AUTHORITY No.)
1407 and PERMIT No. B-1148)

T. L. TUCKER
LAMAR, CO 81052

CASE No. 139-AR

SUPPLEMENTAL ORDER

Respondent.)

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, NOTICE OF HEARING AND ORDER TO SHOW CAUSE was issued in the above-entitled case to the above-named Respondent for failure to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission.

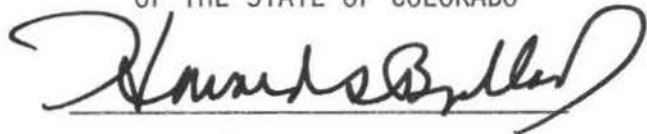
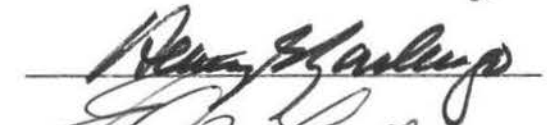
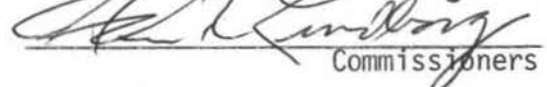
The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled and numbered case be, and the same hereby is, dismissed as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
15th day of July 19 71. av

(Decision No. 78151)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER)	
CERTIFICATE NO. 551 and I)	CASE NO. 140-AR
PERMIT NOS. A-710 AND A-748)	
GLOBE TRUCK LINES INC.)	RECOMMENDED DECISION OF
2065 DELGANY STREET)	CHRISTIAN O. IGENBERGS,
DENVER, COLORADO 80202)	EXAMINER
Respondent)	DISMISSING CASE

July 20, 1971

Appearances: Ralph H. Knull, Denver,
Colorado, of the Staff
of the Commission.

PROCEDURE AND RECORD

By Decision No. 77785, dated June 4, 1971, the Commission found as fact that Respondent was in violation of the Public Utilities Law of the State of Colorado having failed to submit an Annual Report on its operations in the calendar year 1970 as required by the law and the rules and regulations of this Commission and ordered said Respondent to appear before the Commission on Tuesday, July 13, 1971, at 10 a.m., in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, to show cause why the Commission should not take such action and enter such order or penalty as may be appropriate, including, but not limited to, an order canceling Respondent's Certificates of Public Convenience and Necessity PUC No. 551 and PUC No. 551-I and Permit Nos. A-710 and A-748.

The Commission assigned Docket No. 140-AR to the case. Pursuant to law, the Commission assigned the case to Christian O. Igenbergs, Examiner, for the purpose of conducting a hearing on the subject matter. The hearing was held at the said time and place.

Respondent failed to appear at the hearing as directed.

At the conclusion of the hearing, the subject matter was taken under advisement.

Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes (1963), as amended, Examiner Christian O. Igenbergs now transmits herewith to the Commission the record and exhibits of this proceeding together with a written recommended decision which contains his findings of fact and conclusions thereon, together with the recommended order or requirement.

FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact that:

1. Certificates of Public Convenience and Necessity PUC No. 551 and PUC No. 551-I and Permit Nos. A-710 and A-748 are presently held by Globe Truck Lines, Inc., a Colorado corporation.
2. On the date of the hearing at 11:30 a.m. after the within matter had been taken under advisement by the Examiner and the hearing concluded, one James Qualteri, president of Globe Truck Lines, Inc., appeared in the Commission office with a completed Annual Report and informed the Staff that he had, in good faith, planned to appear at the Commission's office at the time of the hearing but had been unavoidably detained. Said James Qualteri filed the 1970 Annual Report as of July 13, 1970.
3. It is found as a fact that the Respondent herein has now complied with Commission Order, Decision No. 77785, by filing said Annual Report as required by the Public Utilities Law of this State and the rules and regulations of this Commission.

CONCLUSIONS ON FINDINGS OF FACT

Based on the aforesaid findings of fact, it is concluded that:

1. The above-entitled and numbered case be dismissed as of the day and date hereof.

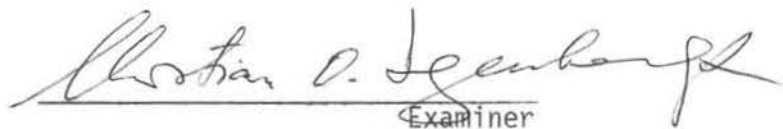
2. Pursuant to 115-6-9 (2), CRS 1963, as amended, it is recommended by the Examiner that the Commission enter the following

O R D E R

THE COMMISSION ORDERS:

1. That Case No. 140-AR be, and the same hereby is, dismissed.
2. That this Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinabove set out.
3. That as provided by 115-6-9 (2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period of time as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed within such time by the Commission upon its own motion, such Recommended Decision shall become the Decision of the Commission and subject to the provisions of 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Examiner

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
CERTIFICATE No. 1007 & I)

AA TAXICAB COMPANY, INC.)
1101 EAST ABRIENDO AVENUE)
PUEBLO, CO 81001)

CASE No. 143-AR

SUPPLEMENTAL ORDER

Respondent.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, NOTICE OF HEARING AND ORDER TO SHOW CAUSE was issued in the above-entitled case to the above-named Respondent for failure to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission.

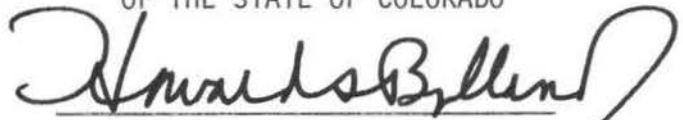

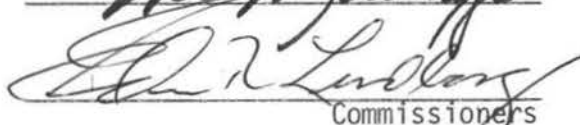
The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled and numbered case be, and the same hereby is, dismissed as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
15th day of July 1971 . av

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
CERTIFICATE No. 7789)

SKI COUNTRY STAGES, INC.)
P. O. BOX 1046)
STEAMBOAT SPRINGS, CO 80477)

CASE No. 147-AR

SUPPLEMENTAL ORDER

Respondent.)

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, NOTICE OF HEARING AND ORDER TO SHOW CAUSE was issued in the above-entitled case to the above-named Respondent for failure to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission.

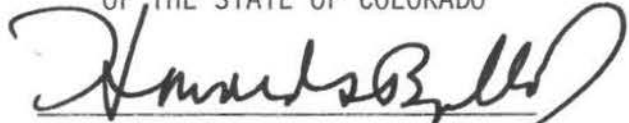
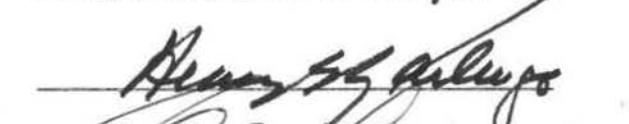

The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled and numbered case be, and the same hereby is, dismissed as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
15th day of July 1971. av

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
CERTIFICATE OF AUTHORITY 32&I)
and PERMIT B-6498)

MOUNTAIN EXPRESS TRUCK LINE)
2903 NORTH TEJON STREET)
COLORADO SPRINGS, CO 80907)

CASE No. 149-AR

SUPPLEMENTAL ORDER

Respondent.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, NOTICE OF HEARING AND ORDER TO SHOW CAUSE was issued in the above-entitled case to the above-named Respondent for failure to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission.

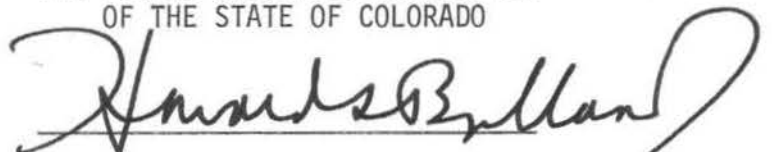
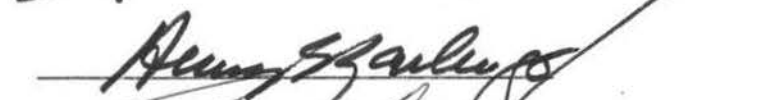

The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled and numbered case be, and the same hereby is, dismissed as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
15th day of July 1971 . av

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
CERTIFICATE OF AUTHORITY No.)
272 & I & 2030)

LEONARD L. HANEY)
BYERS-DENVER TRUCK LINE)
3879 BLAKE STREET)
DENVER, CO 80205)

CASE No. 150-AR

SUPPLEMENTAL ORDER

Respondent.)

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, NOTICE OF HEARING AND ORDER TO SHOW CAUSE was issued in the above-entitled case to the above-named Respondent for failure to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission.

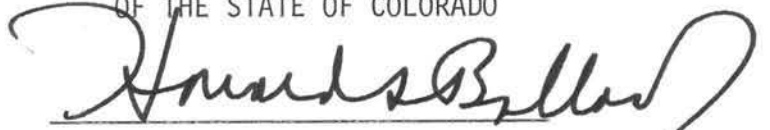


The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled and numbered case be, and the same hereby is, dismissed as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
15TH day of JULY 1971 . av

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
CERTIFICATE No. 290

BRIGGSDALE COOPERATIVE, INC.)
BRIGGSDALE,
CO 80611

CASE No. 151-AR

SUPPLEMENTAL ORDER

Respondent.)

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, NOTICE OF HEARING AND ORDER TO SHOW CAUSE was issued in the above-entitled case to the above-named Respondent for failure to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission.

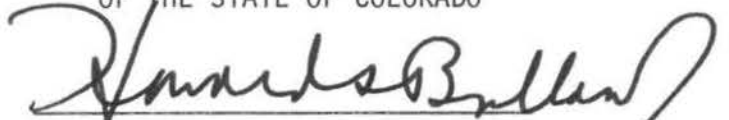
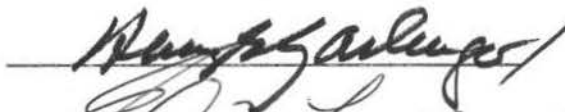

The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled and numbered case be, and the same hereby is, dismissed as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
15TH day of JULY 1971 . av

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
CERTIFICATE No. 624 & I)

YOUNG BRS. TRANSFER & STORAGE)
CO.)
1531 19TH STREET)
DENVER, CO 80202)

CASE No. 153-AR

SUPPLEMENTAL ORDER

Respondent.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, NOTICE OF HEARING AND ORDER TO SHOW CAUSE was issued in the above-entitled case to the above-named Respondent for failure to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission.

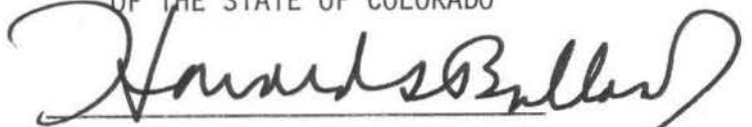
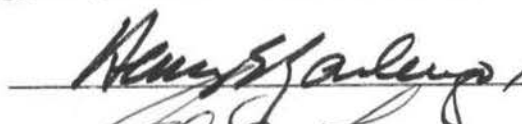

The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled and numbered case be, and the same hereby is, dismissed as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
15TH day of JULY 1971 . av

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
CERTIFICATE No. 894 & I)
PERMIT No. B-2753)
PERMIT No. B-5774)

MR. HAROLD E. WATSON
5201 YORK STREET
DENVER, CO 80216

Respondent.)

CASE No. 154-AR

SUPPLEMENTAL ORDER

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, NOTICE OF HEARING AND ORDER TO SHOW CAUSE was issued in the above-entitled case to the above-named Respondent for failure to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission.

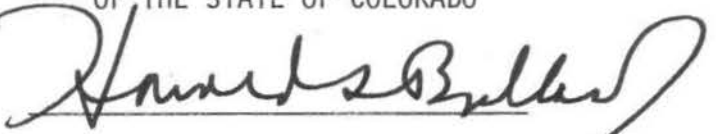
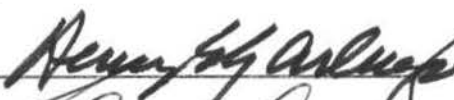

The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled and numbered case be, and the same hereby is, dismissed as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
15TH day of JULY 1971 . av

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
CERTIFICATE No. 1150 & I)

EASTERN COLORADO TRANSPORTATION)
IDALIA,)
CO 80736)

CASE No. 155-AR

SUPPLEMENTAL ORDER

Respondent.)

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, NOTICE OF HEARING AND ORDER TO SHOW CAUSE was issued in the above-entitled case to the above-named Respondent for failure to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission.

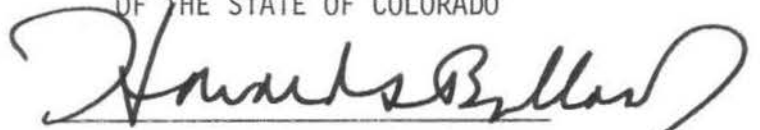
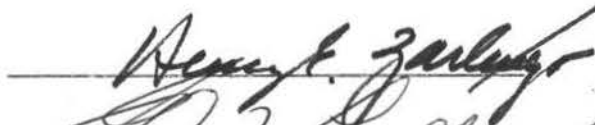

The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled and numbered case be, and the same hereby is, dismissed as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
15TH day of JULY 1971. av