

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
CERTIFICATE No. 1579)
PERMIT No. B-2025)

MR. THOMAS W. ROGERS)
MANASSA,)
CO 81141)

CASE No. 157-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.

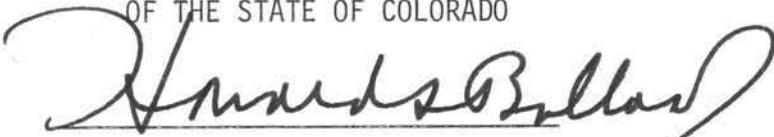
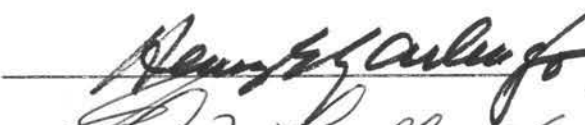

The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

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. 1788 & I

MR. ROY A. NORTH
414 WEST MAIN STREET
STERLING, CO 80751

CASE No. 158-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.

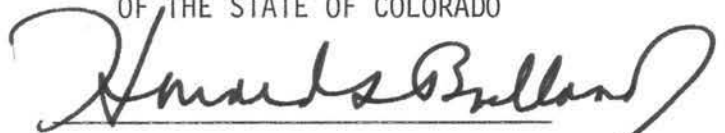
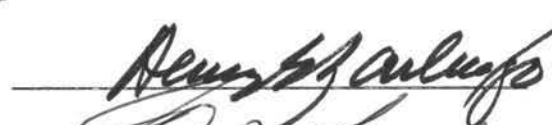

The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

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. 2075

DOYLE'S HOUSE MOVING
1295 SOUTH OGDEN STREET
DENVER, CO 80210

CASE No. 159-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.

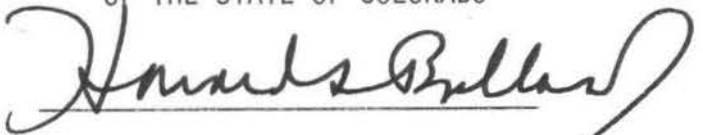


The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

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. 3337

MESSRS. JESSE BRAGG, JR. &
EARL BRAGG
642 EAST WILLIAMETTE
COLORADO SPRINGS, CO 80900

CASE No. 167-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.

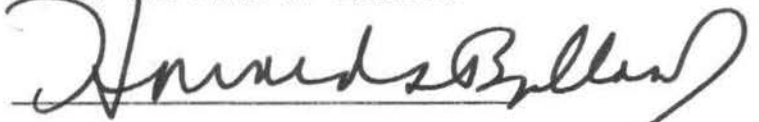
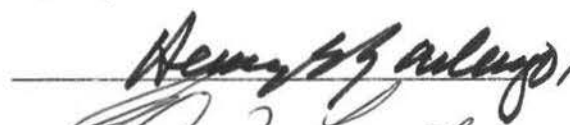

The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

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)
Permit No. B-6933)
)
)
Mr. Stanley H. Schlager)
Route 1, Box 56)
Pierce, Colorado 80650)
----- Respondent)

CASE NO. 200-AR

RECOMMENDED DECISION OF
ROBERT L. PYLE
Examiner

August 17, 1971

Appearances: Mr. Lawrence C. Abdoo, Denver, Colorado
of the Staff of the Commission

PROCEDURE AND RECORD

As required by the Statutes of the State of Colorado (Chapter 115, CRS 1963, as amended) and the Rules and Regulations of this Commission: Rule 26 of Rules and Regulations Governing Common Carriers By Motor Vehicle, and Administrative Ruling No. 2 concerning Annual Reports of Motor Vehicle Contract Carriers, Annual Reports are to be filed with this Commission, not later than three months after the close of the calendar year.

The Respondent did not file an Annual Report with this Commission for the calendar year 1970 by June 15, 1971.

The Commission, by Decision No. 77938, dated June 15, 1971, ordered Respondent to appear before the Commission on August 10, 1971, 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 as may be appropriate, including, but not limited to, an Order cancelling the Respondent's Permit No. B-6933.

The Commission, pursuant to law, designated Robert L. Pyle as an Examiner for the purpose of conducting the hearing in the above-entitled matter.

The Hearing was held at the aforesaid time and place.

Harold L. Lootens testified for and on behalf of the Staff of the Commission.

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 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 as may be appropriate, including, but not limited to, an Order cancelling the Respondent's Permit No. B-6933;
2. Respondent, Mr. Stanley H. Schlagel, 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. This Commission has jurisdiction over said Respondent and the subject matter of these proceedings;
4. Annual Report Forms were mailed to Respondent on January 5, 1971;
5. On May 7, 1971, Respondent was notified and required to file an Annual Report for the calendar year 1970 within twenty-one (21) days from the date of said notice;
6. The files and records of the Commission disclose that Respondent has violated the law and the rules and regulations of the Commission by failing to file the required 1970 Annual Report within the time specified by this Commission;
7. The Commission, by Decision No. 77938, dated June 15, 1971, Case No. 200-AR, issued an Order to show cause and Notice of Hearing to Respondent;
8. Hearing was held on August 10, 1971;
9. Respondent failed to appear before the Commission as directed by Decision No. 77938, dated June 15, 1971.

CONCLUSIONS ON FINDINGS OF FACT

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

1. The authority of Respondent, being Permit No. 6933, be revoked and canceled as of September 17, 1971, provided, that in lieu of said revocation and cancellation, Respondent may pay the sum of Fifty Dollars(\$50.00) to the Public Utilities Commission, and in addition file its 1970 Annual Report with this Commission, on or before September 17, 1971, as an alternative penalty assessed for the violation of the Public Utilities Law of the State of Colorado and the rules and regulations of this Commission.

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 the authority of Respondent, being Permit No. B-6933, be, and the same hereby is, revoked and cancelled as of September 17, 1971, provided, however, that in lieu of said revocation and cancellation, Respondent:

a. File its 1970 Annual Report with this Commission on or before September 17, 1971;

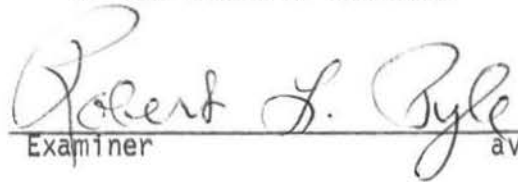
b. In addition, pay the sum of Fifty (\$50.00) Dollars to the Public Utilities Commission, on or before September 17, 1971, to be deposited to the Public Utilities Commission Motor Carrier Fund No. 4-4318, under and pursuant to the provisions of the Public Utilities Law.

2. In which event, if said full payment be made, and the 1970 Annual Report filed as Ordered, the said revocation and cancellation of said authority shall be null and void and of no effect, and said authority shall be fully operative.

3. 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.

4. 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 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 av

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit No. B-7326

B & G Truck Line
Morland, Kansas 67650

CASE NO. 204-AR

RECOMMENDED DECISION OF
ROBERT L. PYLE
Examiner

August 17, 1971

Appearances: Mr. Lawrence C. Abdoo, Denver, Colorado
of the Staff of the Commission

PROCEDURE AND RECORD

As required by the Statutes of the State of Colorado (Chapter 115, CRS 1963, as amended) and the Rules and Regulations of this Commission: Rule 26 of Rules and Regulations Governing Common Carriers by Motor Vehicle, and Administrative Ruling No. 2 concerning Annual Reports of Motor Vehicle Contract Carriers, Annual Reports are to be filed with this Commission, not later than three months after the close of the calendar year.

The Respondent did not file an Annual Report with this Commission for the calendar year 1970 by June 15, 1971.

The Commission, by Decision No. 77944, dated June 15, 1971, ordered Respondent to appear before the Commission on August 10, 1971, 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 as may be appropriate, including, but not limited to, an Order cancelling the Respondent's Permit No. B-7326.

The Commission, pursuant to law, designated Robert L. Pyle as an Examiner for the purpose of conducting the hearing in the above-entitled matter.

The Hearing was held at the aforesaid time and place.

Harold L. Lootens testified for and on behalf of the Staff of the Commission.

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 as may be appropriate, including, but not limited to, an Order cancelling the Respondent's Permit No. B-7326;
2. Respondent, B & G Truck Line, 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. This Commission has jurisdiction over said Respondent and the subject matter of these proceedings;
4. Annual Report Forms were mailed to Respondent on January 5, 1971;
5. On May 7, 1971, Respondent was notified and required to file an Annual Report for the calendar year 1970 within twenty-one (21) days from the date of said notice;
6. The files and records of the Commission disclose that Respondent has violated the law and the rules and regulations of the Commission by failing to file the required 1970 Annual Report within the time specified by this Commission;
7. The Commission, by Decision No. 77944, dated June 15, 1971, Case No. 204-AR, issued an Order to show cause and Notice of Hearing to Respondent;
8. Hearing was held on August 10, 1971;
9. Respondent failed to appear before the Commission as directed by Decision No. 77944, dated June 15, 1971.

CONCLUSIONS ON FINDINGS OF FACT

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

1. The authority of Respondent, being Permit No. B-7326, be revoked and cancelled as of September 17, 1971, provided that in lieu of said revocation and cancellation, Respondent may pay the sum of Fifty (\$50.00) Dollars to the Public Utilities Commission, and in addition, file its 1970 Annual Report with this Commission on or before September 17, 1971, as an alternative penalty assessed for the violation of the Public Utilities Law of the State of Colorado and the rules and regulations of this Commission.

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 the authority of Respondent, being Permit No. B-7326, be, and the same hereby is, revoked and cancelled as of September 17, 1971, provided, however, that in lieu of said revocation and cancellation, Respondent:

a. File its 1970 Annual Report with this Commission on or before September 17, 1971;


b. In addition pay the sum of Fifty (\$50.00) Dollars to the Public Utilities Commission, on or before September 17, 1971, to be deposited to the Public Utilities Commission Motor Carrier Fund No. 4-4318, under and pursuant to the provisions of the Public Utilities Law.

2. In which event, if said full payment be made, and the 1970 Annual Report filed as Ordered, the said revocation and cancellation of said authority shall be null and void and of no effect, and said authority shall be fully operative.

3. 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.

4. 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 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 av

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit No. B-7315

J & E Enterprises
Route 4, Box 214
Pueblo, Colorado 81004

Respondent

CASE NO. 205-AR

RECOMMENDED DECISION OF
ROBERT L. PYLE
Examiner

August 17, 1971

Appearances: Lawrence C. Abdoo, Denver, Colorado
of the Staff of the Commission

PROCEDURE AND RECORD

As required by the Statutes of the State of Colorado (Chapter 115, CRS 1963, as amended) and the Rules and Regulations of this Commission: Rule 26 of Rules and Regulations Governing Common Carriers by Motor Vehicle, and Administrative Ruling No. 2, concerning Annual Reports of Motor Vehicle Contract Carriers, Annual Reports are to be filed with this Commission, not later than three months after the close of the calendar year.

The Respondent did not file an Annual Report with this Commission for the calendar year 1970 by June 15, 1971.

The Commission, by Decision No. 77945, dated June 15, 1971, ordered Respondent to appear before the Commission on August 10, 1971, 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 as may be appropriate, including, but not limited to, an Order cancelling the Respondent's Permit No. B-7315.

The Commission, pursuant to law, designated Robert L. Pyle as an Examiner for the purpose of conducting the hearing in the above-entitled matter.

The Hearing was held at the aforesaid time and place.

Harold L. Lootens testified for and on behalf of the Staff of the Commission.

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 as may be appropriate, including, but not limited to, an Order cancelling the Respondent's Permit No. B-7315;
2. Respondent, J & E Enterprises, 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. This Commission has jurisdiction over said Respondent and the subject matter of these proceedings;
4. Annual Report Forms were mailed to Respondent on January 5, 1971;
5. On May 7, 1971, Respondent was notified and required to file an Annual Report for the calendar year 1970 within twenty-one (21) days from the date of said notice;
6. The files and records of the Commission disclose that Respondent has violated the law and the rules and regulations of the Commission by failing to file the required 1970 Annual Report within the time specified by this Commission;
7. The Commission, by Decision No. 77945, dated June 15, 1971, Case No. 205-AR, issued an Order to show cause and Notice of Hearing to Respondent;
8. Hearing was held on August 10, 1971;
9. Respondent failed to appear before the Commission as directed by Decision No. 77945, dated June 15, 1971.

CONCLUSIONS ON FINDINGS OF FACT

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

1. The authority of Respondent, being Permit No. B-7315 be revoked and cancelled as of September 17, 1971, provided, however, that in lieu of said revocation and cancellation, Respondent may pay the sum of Fifty (\$50.00) Dollars to the Public Utilities Commission, and in addition file its 1970 Annual Report with this Commission, on or before September 17, 1971, as an alternative penalty assessed for the violation of the Public Utilities Law of the State of Colorado and the rules and regulations of this Commission.

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 the authority of Respondent, being Permit No. B-7315, be, and the same hereby is, revoked and cancelled as of September 17, 1971, provided, however, that in lieu of said revocation and cancellation, Respondent:

a. File its 1970 Annual Report with this Commission on or before September 17, 1971;

b. In addition pay the sum of Fifty (\$50.00) Dollars to the Public Utilities Commission, on or before September 17, 1971, to be deposited to the Public Utilities Commission Motor Carrier Fund No. 4-4318, under and pursuant to the provisions of the Public Utilities Law.

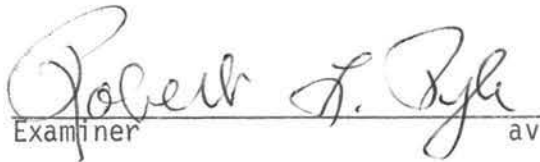
2. In which event, if said full payment be made, and the 1970 Annual Report filed as Ordered, the said revocation and cancellation of said authority shall be null and void and of no effect, and said authority shall be fully operative.

3. 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.

4. 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 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 av

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
CERTIFICATE OF AUTHORITY No.)
5362)

LEE BROS. ASH & TRASH DISPOSAL)
2829 HARRISON STREET)
DENVER, CO 80205)

CASE No. 174-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.

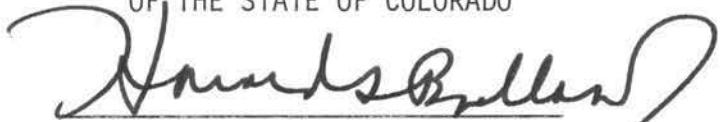
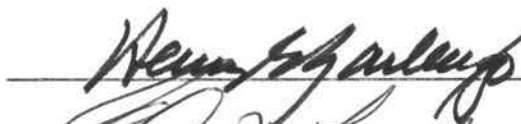

The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

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

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
CERTIFICATE No. 7079)

KEEP 'EM KLEEN, INC.)
1028 WEST 8TH AVENUE)
LOVELAND, CO 80537)

CASE No. 176-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.

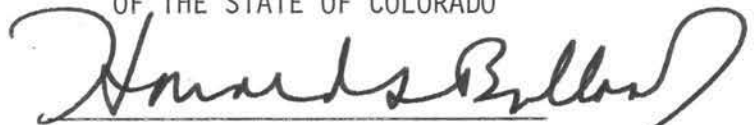
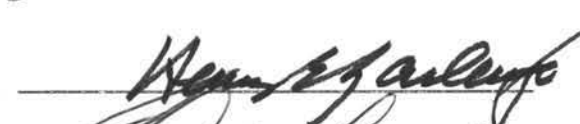
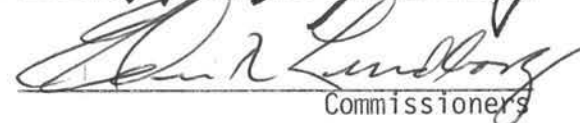
The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

ORDER

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.)
7640)

MR. ELOY SANCHEZ)
317 EAST 4TH STREET)
PUEBLO, CO 81003)

CASE No. 178-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.

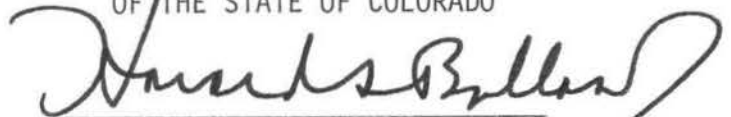
The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

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

(Decision No. 78170)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
J.C.R. TRUCKING, INC., 8686 WEST UTAH)	APPLICATION NO. 25107-PP-ETA
AVENUE, DENVER, COLORADO, FOR EMER-)	
GENCY TEMPORARY AUTHORITY TO OPERATE)	ORDER GRANTING
AS A CLASS "B" CONTRACT CARRIER BY)	EMERGENCY TEMPORARY AUTHORITY
MOTOR VEHICLE.)	

- - - - -
July 14, 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 J.C.R. Trucking, Inc., 8686 West Utah Avenue,
Denver, Colorado, be, and is hereby, granted emergency temporary authority
for a period of fifteen (15) days commencing July 14, 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;

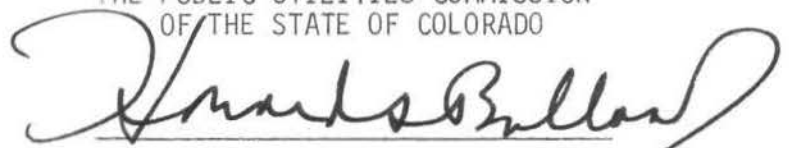
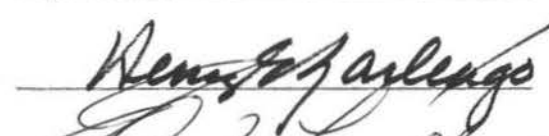

RESTRICTION: This emergency temporary authority is restricted against the use of tank vehicles when transporting road-surfacing materials";

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

Dated at Denver, Colorado,
this 14th day of July, 1971.
hj

(Decision No. 78171)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
JAMES L. BOLING, 7615 WEST 9TH AVENUE,)	APPLICATION NO. 25108-PP-ETA
LAKEWOOD, COLORADO, FOR EMERGENCY)	
TEMPORARY AUTHORITY TO OPERATE AS A)	ORDER GRANTING
CLASS "B" CONTRACT CARRIER BY MOTOR)	EMERGENCY TEMPORARY AUTHORITY
VEHICLE.)	

July 14, 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 James L. Boling, 7615 West 9th Avenue,
Lakewood, Colorado, be, and is hereby, granted emergency temporary author-
ity for a period of fifteen (15) days commencing July 14, 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;

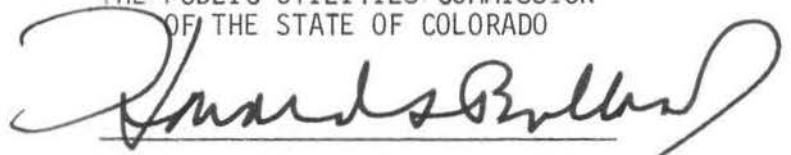

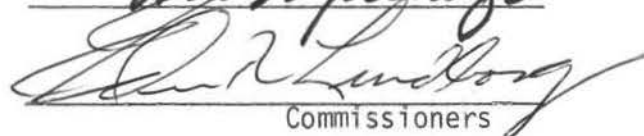
RESTRICTION: This emergency temporary authority is restricted against the use of tank vehicles when transporting road-surfacing materials";

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

Dated at Denver, Colorado,
this 14th day of July, 1971.
hj

(Decision No. 78172)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

IN THE MATTER OF APPLICATION OF)
YELLOW CAB, INC. AND YELLOW CAB,)
INC., LESSEE OF CHECKER CAB, INC.,)
3455 RINGSBY COURT, DENVER,)
COLORADO 80216)

APPLICATION NO. 25054

RE: INCREASED TAXICAB FARES, YELLOW)
CAB, INC. AND YELLOW CAB, INC., LESSEE)
OF CHECKER CAB, INC., 3455 RINGSBY)
COURT, DENVER, COLORADO 80216)

INVESTIGATION & SUSPENSION
DOCKET NO. 688

July 14, 1971

STATEMENT AND FINDINGS

BY THE COMMISSION:

On June 16, 1971, Walter M. Simon, Counsel for Yellow Cab, Inc., and Yellow Cab, Inc., Lessee of Checker Cab, Inc., 3455 Ringsby Court, Denver, Colorado 80216, filed tariff Colorado P.U.C. No. 28, increasing the taxicab fares for one way and round trip movement of passengers in the City and County of Denver and points within a twenty (20) mile radius of Sixteenth and Champa Streets, Denver, Colorado, scheduled to become effective July 16, 1971.

On June 17, 1971, Counsel for Yellow Cab, Inc., and Yellow Cab, Inc., Lessee of Checker Cab, Inc., filed Application No. 25054, requesting that said tariff be allowed to become effective, on an emergency basis, on June 28, 1971, citing an agreement with the Independent Drivers Association of Denver increasing rental arrangements with its drivers and the fact that the Company has been operating at a 98+% operating ratio.

Upon consideration of said schedules and Application No. 25054, the increased fares may, if permitted to become effective, result in violation of the Public Utilities Law. It is the opinion of the Commission that Application No. 25054 be denied and said schedules should be suspended, and an investigation instituted into

and concerning the lawfulness thereof.

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 Application No. 25054, requesting effective date of June 28, 1971, is, hereby denied.

3. That it shall enter into a hearing concerning the lawfulness of the increased fares proposed in the schedules of Yellow Cab, Inc., and Yellow Cab, Inc., Lessee of Checker Cab, Inc., designated as Colorado P.U.C. No. 28, scheduled to become effective on July 16, 1971.

4. The operation of said schedules, be, and it is hereby, suspended and the use thereof deferred to and including November 12, 1971, unless otherwise ordered by the Commission.

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

6. 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.

7. That a copy of this Order shall be filed with the schedules in the office of the Commission and a copy thereof served upon Yellow Cab, Inc., and Yellow Cab, Inc., Lessee of Checker Cab, Inc., 3455 Ringsby Court, Denver, Colorado 80216, and said carrier be, and it hereby is, made a Respondent in this proceeding. The necessary suspension supplement shall be issued, filed and posted to the schedules referred to herein.

8. That Twenty-One (21) days prior to the hearing date

herein, Respondent shall provide the Secretary of the Commission with copies of any and all exhibits which Respondent intends to introduce in evidence in support of its case.

9. That this Investigation and Suspension Docket No. 688 be, and the same hereby is, set for hearing before the Commission on the 20th day of September, 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

COMMISSIONER EDWIN R. LUNDBORG
NECESSARILY ABSENT AND NOT
PARTICIPATING

Dated at Denver, Colorado, this
14th day of July, 1971.

dh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
LAMB CONSTRUCTION, INC., 229 PARK	)	APPLICATION NO. 24625-Amended
STREET, LYONS, COLORADO, FOR A CER-)	
TIFICATE OF PUBLIC CONVENIENCE AND	)	ORDER OF THE COMMISSION
NECESSITY TO OPERATE AS A COMMON	)	DENYING PETITION FOR REHEARING
CARRIER BY MOTOR VEHICLE FOR HIRE.)	

July 22, 1971

Appearances: Leslie R. Kehl and Robert G. Shepherd, Esqs.,
Denver, Colorado, for Applicant.
William T. Secor, Esq., Longmont, Colorado,
for Golden Transfer Company and
Stanley R. Stafford, doing business
as "Northern Trash Disposal,"
Protestants.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On June 15, 1971, the Commission entered its Decision No. 77925 in the above-entitled matter. A copy of said Decision No. 77925 was served upon all the parties including Rudolph F. Carlson, doing business as Tri-Area Truck Service, the Petitioner herein. On July 8, 1971, Rudolph F. Carlson, doing business as Tri-Area Truck Service, filed a Petition for Rehearing, petitioning the Commission to set aside said Decision No. 77925 and grant rehearing of the Application on the grounds that the Petitioner was not given a Notice of Hearing. The Commission finds that even though the Petitioner may not have had a notice of the hearing, the Petitioner did, however, have notice of the Decision of the Commission pursuant to such hearing; that a Petition for Rehearing pursuant to statute and the rules of the Commission must be filed within twenty (20) days of the date such decision is served upon the parties; that said Petition was not timely filed insofar as the twenty (20) day period for such filing expired on

July 6, 1971; and accordingly concludes that the Petition should be denied for lack of timeliness and that the following Order should be entered.

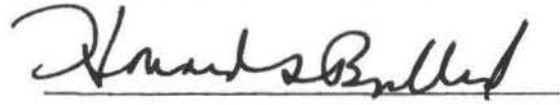
O R D E R

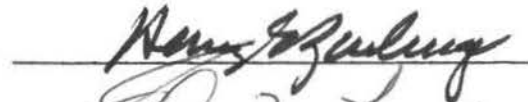
THE COMMISSION ORDERS THAT:

1. The Petition for Rehearing in the above-entitled matter filed by Rudolph F. Carlson, doing business as Tri-Area Truck Service, on July 8, 1971, be, and hereby is, denied.

This Order shall be effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO






_____ Commissioners

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

(Decision No. 78174)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
HARRY E. HARTMAN, SR. AND ROBERT M.	)	APPLICATION NO. 25019
HARTMAN, DOING BUSINESS AS "PROF'S)	
TRASH SERVICE," GENERAL DELIVERY,	)	ORDER OF THE COMMISSION
BEULAH, COLORADO, FOR AUTHORITY TO)	
OPERATE AS A COMMON CARRIER BY MOTOR)	
VEHICLE.)	

July 15, 1971

Appearances: Robert L. McMichael, Esq., Pueblo,
Colorado, for Applicants.

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 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 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 the present or future public convenience and necessity requires or will require Applicants' transportation service as hereinafter ordered;

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 Harry E. Hartman, Sr. and Robert M. Hartman, doing business as "Prof's Trash Service," General Delivery, Beulah, Colorado, be, and are hereby, granted a Certificate of Public Convenience and Necessity to operate as a common carrier by motor vehicle for hire for the following:

"Transportation of

Ash, trash, and other refuse

From all points located within a ten (10) mile radius of the Post Office located in Beulah, Colorado, to such locations where same may be lawfully delivered or disposed of."

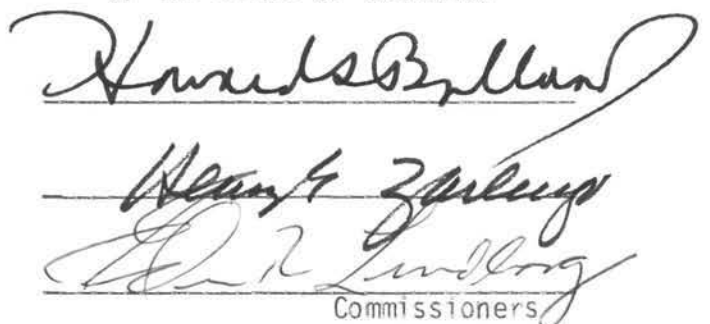
and this Order shall be taken, deemed and held to be a CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY THEREFOR.

It is further ordered, That the holders of this Certificate shall operate in accordance with the Order of the Commission except when prevented by Act of God, the public enemy, or extreme conditions.

It is further ordered, That this Order is subject to compliance by the holders of this Certificate 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 15th day of July, 1971.

hj

(Decision No. 78175)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
GARY C. BOGUE, DOING BUSINESS AS)	APPLICATION NO. 25109-ETA
"ROARING FORK EXPRESS COMPANY," BOX)	
1934, ASPEN, COLORADO, FOR EMERGENCY)	ORDER GRANTING
TEMPORARY AUTHORITY TO OPERATE AS A)	EMERGENCY TEMPORARY AUTHORITY
COMMON CARRIER BY MOTOR VEHICLE.)	

July 15, 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 the lack of available transportation
service to satisfy shippers' needs.

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

It is ordered, That Gary C. Bogue, doing business as "Roaring
Fork Express Company," Box 1934, Aspen, Colorado, be, and is hereby,
granted emergency temporary authority for a period of fifteen (15) days
commencing July 15, 1971, as a common carrier by motor vehicle, for the

"(1) Transportation -- on call and demand -- of

General commodities

Between the Aspen airport (Sardy Field) on the one
hand and points within a forty-five (45) mile radius
thereof on the other hand.

RESTRICTION: Item No. 1 of this emergency temporary
authority is restricted to shipments having immediate
prior or subsequent transportation by air carrier.

(2) Transportation -- on call and demand -- of

Lost, overdue, or mishandled luggage

From the Aspen airport (Sardy Field) to points located within a twenty (20) mile radius of Aspen, Colorado.

(3) Transportation -- on call and demand in package delivery service -- of

Packages and parcels

Between all points located within the City of Aspen, Colorado, and a fifteen (15) mile radius thereof.

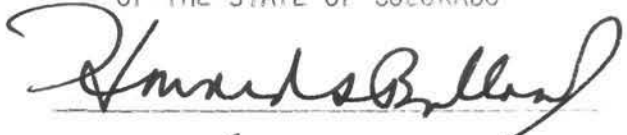
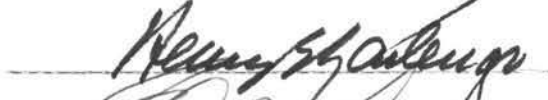

RESTRICTION: Item No. 3 of this emergency temporary authority is restricted as follows: No shipment, regardless of the number of parcels or packages contained therein, shall exceed one hundred (100) pounds in weight.

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 15th day of July, 1971.
hj

(Decision No. 78176)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)

CHARLES W. MARTINO DBA)
MARTINO PRODUCE)
311 S. KLEIN)
OKLAHOMA CITY, OKLAHOMA 73108)
-----)

AUTHORITY NO. 7045-I

CASE NO. 2975-H-Ins.

July 16, 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.

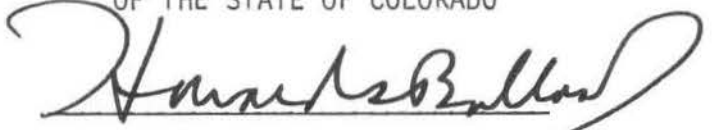
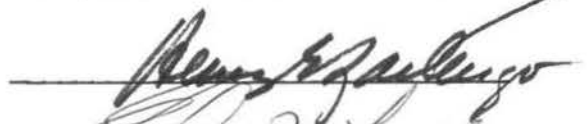
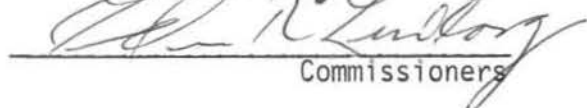
The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

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 16th day of July, 1971

(Decision No. 78177)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)

ROY HICKS & J. S. ELLIOT DBA)
HICK'S TRUCKING)
P. O. BOX 1361)
FARMINGTON, NEW MEXICO 87401)

AUTHORITY NO. B-5619

CASE NO. 2996-H-Ins.

July 16, 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.

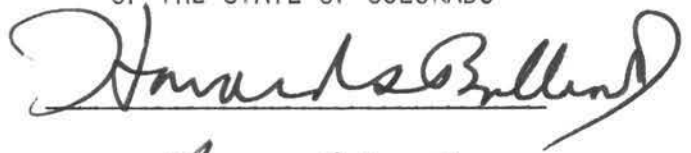


The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

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 16th day of July, 1971

(Decision No. 78178)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)

H. M. BELEW, JR.
210 SO. SECOND
CLAYTON, NEW MEXICO 88415)

AUTHORITY NO. 6142-I

CASE NO. 3008-H-Ins.)

July 16, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On July 12, 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.

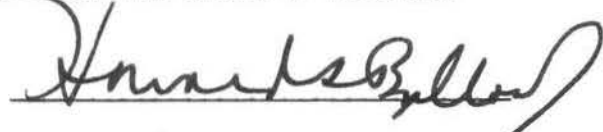

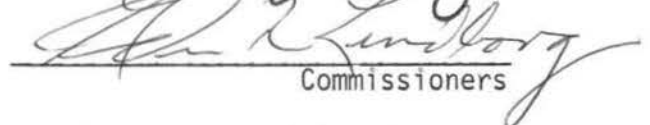
The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

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 July, 1971

(Decision No. 78179)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
JEFFROY MANUFACTURING COMPANY
Box 426
Amarillo, Texas

AUTHORITY NO. M 5539

CASE NO. 7099-M-Ins.

July 16, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On July 12, 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.

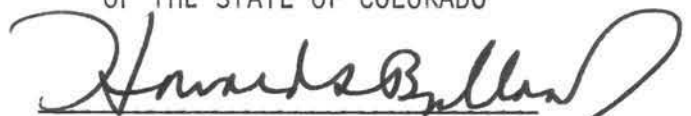
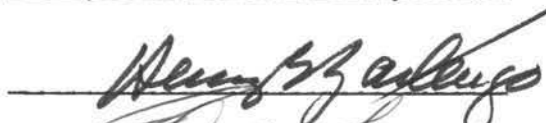

The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

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 July, 1971

(Decision No. 78180)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF

BIEHL CATTLE COMPANY
Box 156
Lexington, Nebraska 68850

AUTHORITY NO. M 9859

CASE NO. 7069-M-Ins.

July 16, 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.

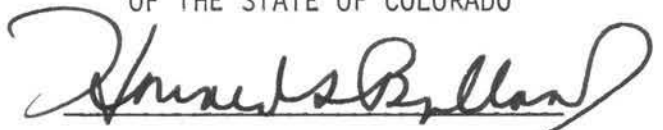


The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

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 16th day of July, 1971

(Decision No. 78181)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF

HAROLD D. BERRY DBA
BERRY'S SUPER SERVICE
15th and Elm
Rocky Ford, Colorado 81067

AUTHORITY NO. M 14849

CASE NO. 4942-M-Ins.

July 16, 1971 -----

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On November 24, 1969 , 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.

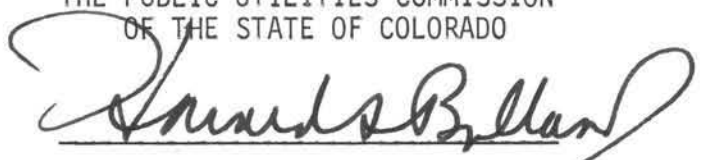
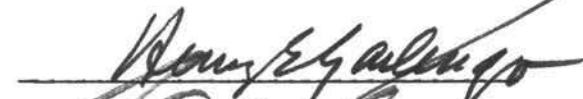
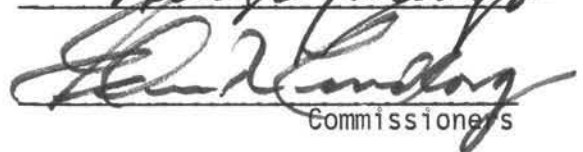
The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

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 July, 1971 .

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
Certificate No. 3533 & Permit B-5133

Jacob J. Hill
Rt. 2, Box 167A
Brighton, Colorado 80601

CASE No. 169-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.

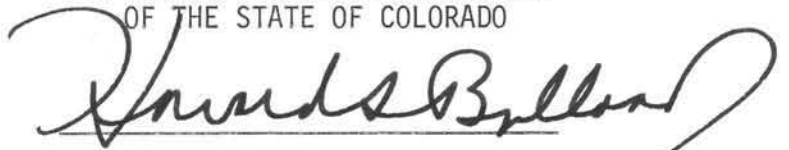
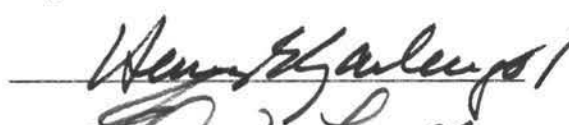

The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

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
13th day of July 19 71 . av

(Decision No. 78183)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
Certificate No. 4887)

Denver Rubbish Removal)
4680 Gaylord Street)
Denver, Colorado 80216)

CASE No. 173-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.

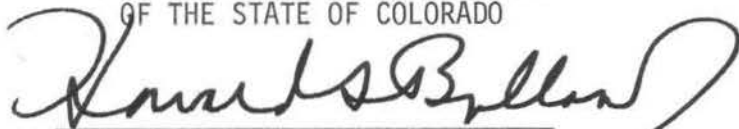
The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

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
13th day of July 19 71. av

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER)

Certificate No. 3285

Patrico Sanchez
1995 So. Vallejo St.
Denver, Colorado 80223

CASE No. 177-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.

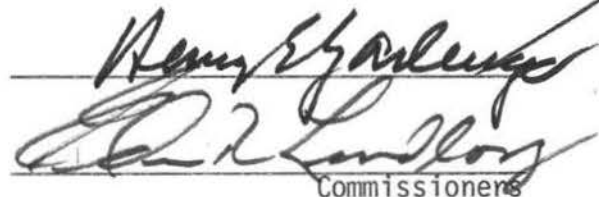
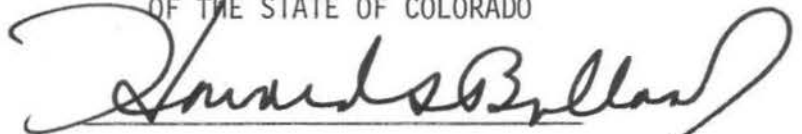
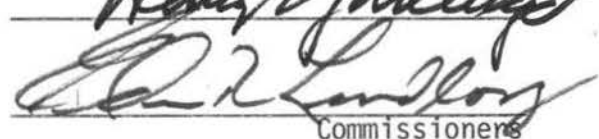
The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

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
13th day of July 1971. av

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER)

Certificate No. 3580

Frank H. Linzy
3321 Kearney
Denver, Colorado 80207

CASE No. 170-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.

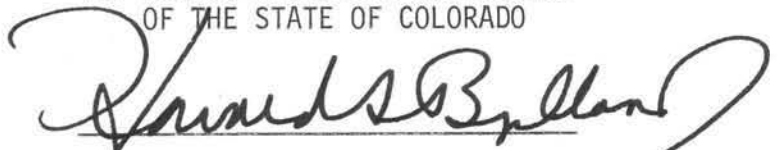
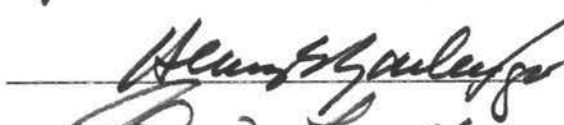
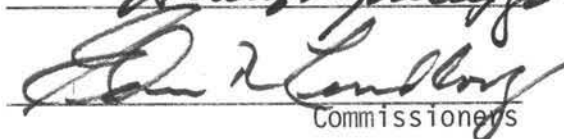
The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

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
13th day of July 19 71. av

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
Certificate of Authority No. 2854)

Ruben H. Farr)
937 So. Prospect St.)
Colorado Springs, Colorado 80903)

CASE No. 164-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.

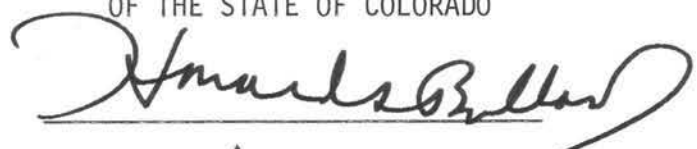
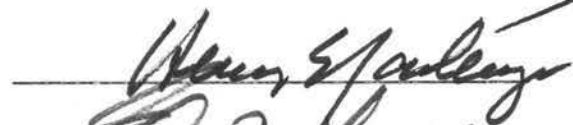

The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

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
13th day of July 1971. av

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
Certificate No. 3310

John P. Honeker
6967 Lamar Street
Arvada, Colorado 80002

CASE No. 165-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.

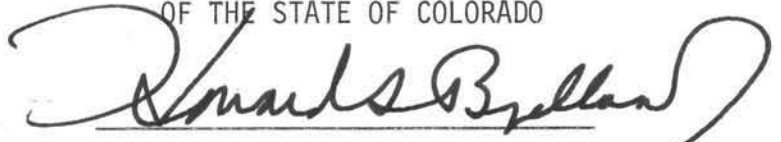
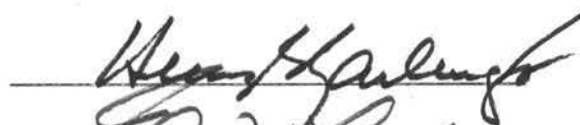

The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

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
13th day of July 19 71. av

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
Certificate of Authority No. 3691)

Otis L. Morgan
3050 Cherry
Denver, Colorado 80207)

CASE No. 171-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.

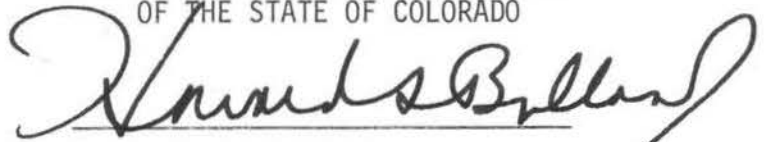
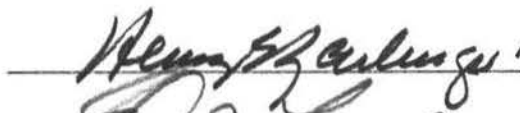
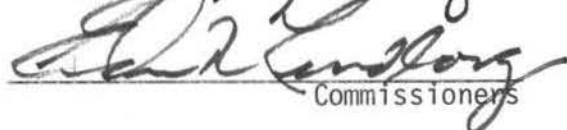
The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

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
13th day of July 19 71. av

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
Certificate No. 1590 & I)

Henry Dillehay)
Ovid, Colorado 80744)

CASE No. 144-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.

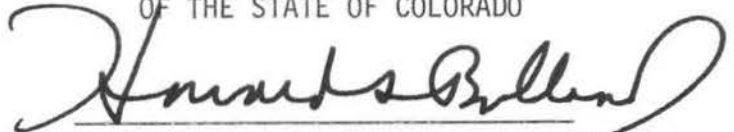
The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

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
13th day of July 1971 . av

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
Certificate No. 910 & I)
Stewart's)
Route 2, Box 59C)
Fort Collins, Colorado 80521)
Respondent.)

CASE No. 142-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.

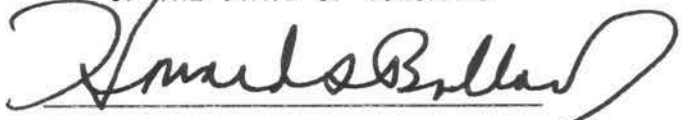
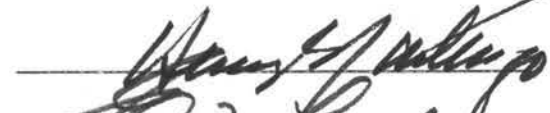
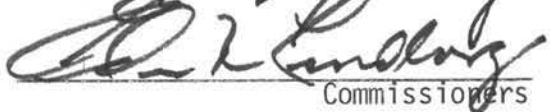
The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

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
13th day of July 1971 . av

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
Certificate No. 3450 & I)

Accurate Delivery Service, Inc.)
5598 Broadway)
Denver, Colorado 80216)

CASE No. 145-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.

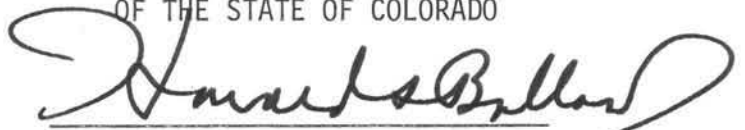
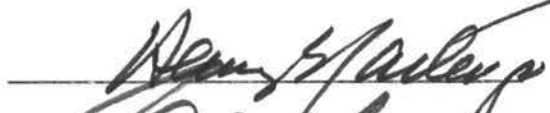

The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

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




Commissioner

Dated at Denver, Colorado, this
13th day of July 19 71. av

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
Certificate No. 3628

Kamp, Inc., d/b/a
Kamp Moving & Storage Co.
4571 Ivy Street
Denver, Colorado 80216

CASE No. 146-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.

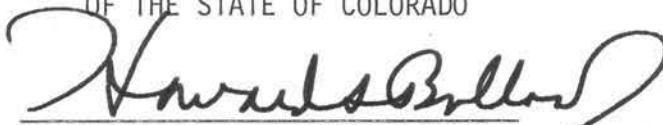
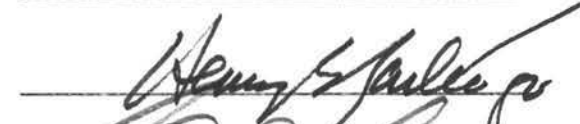
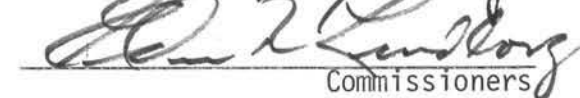
The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

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
13th day of July 19 71. av

(Decision No. 78193)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER)

Certificate No. 2127

Metropolitan Trash Inc.
7661 W 52nd Avenue
Arvada, Colorado 80002

Respondent.)

CASE No. 152-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.

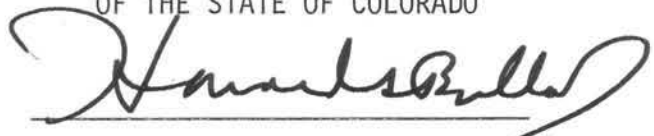


The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

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
13th day of July 1971 av

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER)

Certificate No. 2352

Ralph Miller d/b/a
Miller Transfer
Julesburg, Colorado 80737

Respondent.)

CASE No. 160-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.

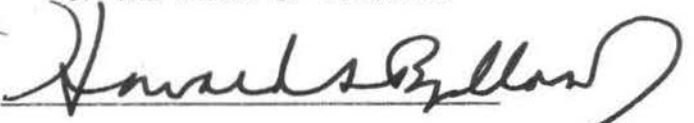


The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

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
13th day of July 19 71. av

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
Certificates Nos. 3033, 59&I, 3718)
Permits Nos. B-3718, 5464, 7199)

The Leadville Transit Company)
P.O. Box 177)
Woodland Park, Colorado 80863)

Respondent.)

CASE No. 161-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.

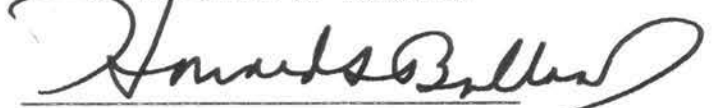

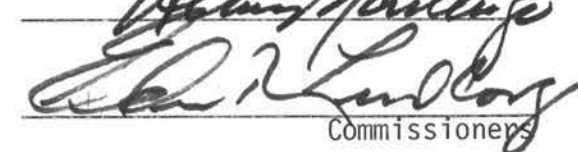
The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

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
13th day of July 1971. av

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER)

Certificate of Authority No. 4447
Permit No. B-5899

Metro Delivery Service, Inc.
5598 Broadway
Denver, Colorado 80216

Respondent.)

CASE No. 162-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.

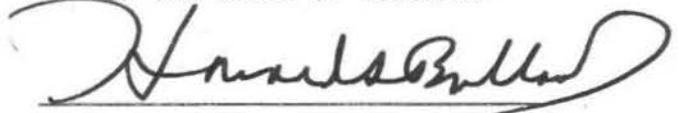
The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

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
13th day of July 1971. av

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
Certificate of Authority No. 5991)
Permit No. B-6085)

Floyd Keck)
2215 Linden)
Trinidad, Colorado 81082)

Respondent.)

CASE No. 163-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.


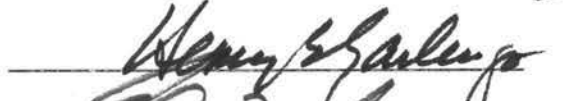

The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

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
13th day of July 19 71. av

(Decision No. 78198)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
Certificate No. 7831

Lancer Corporation
P.O. Box 567
Breckenridge, Colorado 80424

Respondent.)

CASE No. 148-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.

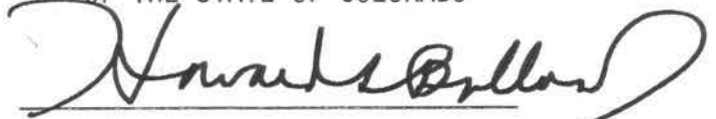
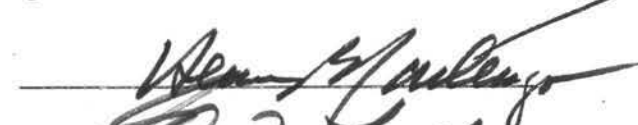

The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

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
13th day of July 1971. av

(Decision No. 78199)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
NEBRASKA IOWA REFRIGERATED EXPRESS,)	
INC., P. O. BOX 7181, OMAHA,)	
NEBRASKA, FOR AUTHORITY TO TRANSFER)	
INTERSTATE OPERATING RIGHTS TO MID-)	PUC NO. 7929-I-Transfer
WEST REFRIGERATED EXPRESS, INC., AN)	
IOWA CORPORATION, 3200 HIGHWAY 75)	
NORTH, SIOUX CITY, IOWA.)	

- - - - -
July 15, 1971
- - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, Nebraska Iowa Refrigerated Express, Inc., Omaha, Nebraska, was granted a certificate of public convenience and necessity, being PUC No. 7929-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. 7929-I to Midwest Refrigerated Express, Inc., an Iowa corporation, Sioux City, Iowa.

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.

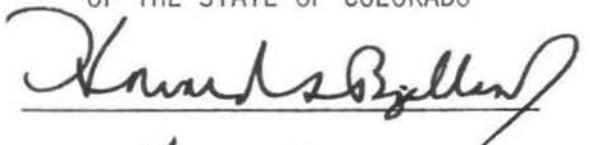
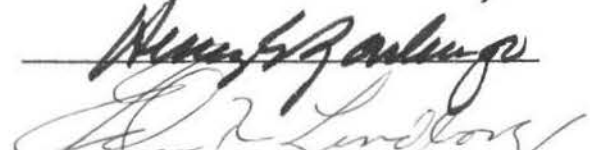

O R D E R

THE COMMISSION ORDERS:

That Nebraska Iowa Refrigerated Express, Inc., Omaha, Nebraska, be, and hereby is, authorized to transfer all right, title and interest in and to PUC No. 7929-I -- with authority as set forth in the Statement preceding which is made a part hereof by reference -- to Midwest Refrigerated Express, Inc., an Iowa Corporation, Sioux City, Iowa, 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.
js

(Decision No. 78200)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ASPEN AIRWAYS, INC., 8685 MONTVIEW)
BLVD., STAPLETON INTERNATIONAL)
AIRPORT, DENVER, COLORADO, FOR)
EMERGENCY TEMPORARY AUTHORITY TO)
USE THE AIRPORT FACILITIES OF THE)
EAGLE AIRPORT OR THE GARFIELD)
COUNTY AIRPORT.)

APPLICATION NO. 25110-ETA
ORDER GRANTING
EMERGENCY TEMPORARY AUTHORITY

- - - - -
July 14, 1971
- - - - -

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

It appearing, That Applicant has established the following:
That appropriate application has been made to this Commission for
emergency temporary authority to use the airport facilities of the
Eagle Airport or the Garfield County Airport as an alternate operating
terminal for scheduled flights into Aspen, Colorado.

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

It further appearing, That failure to immediately grant the
emergency temporary authority will result in an abrupt interruption of
air service into and out of Aspen, Colorado.

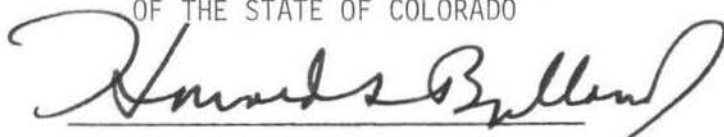
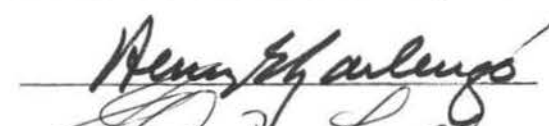
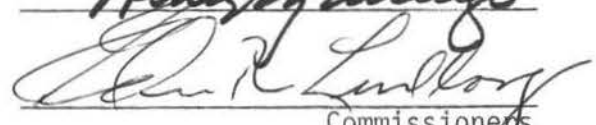
It further appearing, That said circumstances constitute an
emergency requiring the immediate issuance of emergency temporary
authority.

It is ordered, That Aspen Airways, Inc., be, and is hereby,
granted emergency temporary authority for a period of fifteen (15) days
commencing July 19, 1971, to use the airport facilities of the Eagle

Airport or the Garfield County Airport as an alternate operating terminal for scheduled flights that otherwise would have originated or terminated at Sardy Field, Aspen, Colorado, conditioned upon full compliance with all applicable statutory and Commission requirements, rules and regulations and subject to strict compliance with the requirements of the Federal Aviation Administration as set forth in their approval as to the temporary use of the facilities of said Eagle Airport or Garfield County Airport.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 14th day of July, 1971.

js

(Decision No. 78201)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: INVESTIGATION AND SUSPENSION OF)
TARIFF SHEETS ACCOMPANYING ADVICE)
LETTER NO. 27 FILED BY SAN LUIS)
VALLEY RURAL ELECTRIC COOPERATIVE,)
INC., MONTE VISTA, COLORADO, PRO-)
POSING TO INCREASE CERTAIN RATES)
FOR ELECTRIC SERVICE.)

INVESTIGATION AND SUSPENSION
DOCKET NO. 687

July 14, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On June 11, 1971 under Advice Letter No. 27, San Luis Valley Rural Electric Cooperative, Inc., filed certain tariff revisions proposing to increase rates, to become effective July 15, 1971. The tariff sheets involved in this filing are as follows:

Colorado P.U.C. No. 1 (Electric)

<u>COLO. P.U.C.</u> <u>Sheet Number</u>	<u>Title of Sheet</u>	<u>CANCELS COLO. P.U.C.</u> <u>Sheet Number</u>
2.1.	Index	2.1
3 & 3.1	Schedule A	3 & 3.1
3.2 & 3.3	Reserved for Future Filing	3.2 & 3.3
3A	Schedule A-E	3A
4	Schedule A-H Space Heating Service	4
5	Schedule A-W Water Heating Service	5 & 5.1
8 & 8.1	Schedule LP-A-Large Power Service	8 & 8.1
9 & 9.1	Schedule LP-S	9 & 9.1
10	Extension Policy Schedule A Users	10
11	Reserved for Future Filing	11
21	Customer Deposits Policy	21

The effect of this proposed increase would be as follows:

	<u>Test Year</u> <u>Revenue</u>	<u>Proposed</u> <u>Increase</u>
Schedule A	\$445,005	\$86,286
Schedule A-E	67,588	6,617
Schedule A-H	16,472	1,084
Schedule A-W	6,013	1,132
Schedule A-W	151,909	13,225
Schedule LP-S	\$1,234,903	\$108,344
Total Revenues (System)		

Existing irrigation, security lighting and large power service with connected loads between 45 KW and 300 KW would not be adversely affected by the proposed rate revisions.

Studies by the Commission Staff indicate that an equitable allocation of the proposed rate increase requires that it be shared by other consumers than those proposed by the Cooperative. Accordingly, the Commission finds that the effective date of the tariff revisions should be suspended on its own motion for a period of one hundred twenty (120) days, or until November 12, 1971, unless otherwise ordered by the Commission.

O R D E R

THE COMMISSION ORDERS THAT:

1. The effective date of the tariff increases filed under Advice Letter No. 27 be, and hereby is, suspended until November 12, 1971. The tariff sheets involved in this suspension are as follows:

Colorado P.U.C. No. 1 (Electric)

<u>COLO. P.U.C. Sheet Number</u>	<u>Title of Sheet</u>	<u>CANCELS COLO. P.U.C. Sheet Number</u>
2.1	Index	2.1
3 & 3.1	Schedule A	3 & 3.1
3.2 & 3.3	Reserved for Future Filing	3.2 & 3.3
3A	Schedule A-E	3A
4	Schedule A-H Space Heating Service	4
5	Schedule A-W Water Heating Service	5 & 5.1
8 & 8.1	Schedule LP-A-Large Power Service	8 & 8.1
9 & 9.1	Schedule LP-S	9 & 9.1
10	Extension Policy Schedule A Users	10
11	Reserved for Future Filing	11
21	Customer Deposits Policy	21

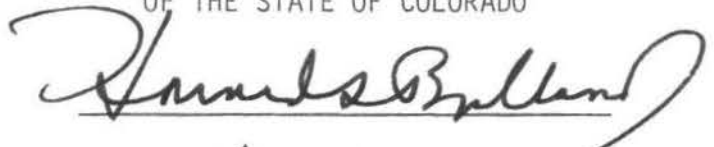
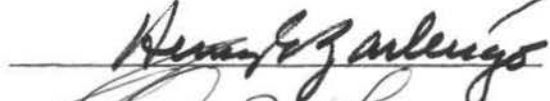

2. The matter be, and hereby is, set for hearing on the 21st day, of September, 1971, at 10 a.m., in the County Court House at Alamosa, Colorado.

3. A copy of this Order to be served on the San Luis Valley Rural Electric Cooperative and on those customers who have filed protests with this Commission.

4. San Luis Valley Rural Electric Cooperative, Inc., notify all of its existing irrigation customers of the time and place of the hearing to be held on this matter at least thirty (30) days prior to the hearing.

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

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE: MOTOR VEHICLE OPERATIONS UNDER)	
CERTIFICATE No. 1416)	CASE NO. 156-AR
BY: MORGAN CAB COMPANY)	
311 EAST KIOWA AVENUE)	RECOMMENDED DECISION OF
FORT MORGAN, CO 80701)	CHRISTIAN O. IGENBERGS,
Respondent)	EXAMINER
-----)	

July 20, 1971

Appearances: Ralph H. Knull, Denver, Colorado
of the Staff of the Commission

PROCEDURE AND RECORD

As required by the Statutes of the State of Colorado (Chapter 115, CRS 1963, as amended) and the Rules and Regulations of this Commission: Rule 26 of Rules and Regulations Governing Common Carriers by Motor Vehicle, and Administrative Ruling No. 2 concerning Annual Reports of Motor Vehicle Contract Carriers, Annual Reports are to be filed with this Commission, not later than three months after the close of the calendar year.

The Respondent did not file an Annual Report with this Commission for the calendar year 1970 by June 9, 1971.

The Commission, by Decision No. 77864, dated June 9, 1971, ordered Respondent to appear before the Commission on July 13, 1971, 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 as may be appropriate, including, but not limited to, an Order cancelling the Respondent's Certificate No. 1416.

The Commission, pursuant to law, designated Christian O. Igenbergs as an Examiner for the purpose of conducting the hearing in the above-entitled matter.

The Hearing was held at the aforesaid time and place.

Harold L. Lootens testified for and on behalf of the Staff of the Commission.

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 as may be appropriate, including, but not limited to, an Order cancelling the Respondent's Certificate No. 1416;
2. Respondent, Morgan Cab Company, 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. This Commission has jurisdiction over said Respondent and the subject matter of these proceedings;
4. Annual Report Forms were mailed to Respondent on January 4, 1971;
5. On April 23, 1971, Respondent was notified and required to file an Annual Report for the calendar year 1970 within twenty-one (21) days from the date of said notice;
6. The files and records of the Commission disclose that Respondent has violated the law and the rules and regulations of the Commission by failing to file the required 1970 Annual Report within the time specified by this Commission;
7. The Commission, by Decision No. 77864, dated June 9, 1971, Case No. 156-AR, issued an Order to show cause and Notice of Hearing to Respondent;
8. Hearing was held on July 13, 1971;
9. Respondent failed to appear before the Commission as directed by Decision No. 77864, dated June 9, 1971.

CONCLUSIONS ON FINDINGS OF FACT

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

1. The authority of Respondent, being Certificate No. 1416, be revoked and cancelled as of August 20, 1971, provided, that in lieu of said revocation and cancellation, Respondent may pay the sum of Fifty Dollars (\$50.00) to the Public Utilities Commission, and in addition file its 1970 Annual Report with this Commission, on or before August 20, 1971, as an alternative penalty assessed for the violation of the Public Utilities Law of the State of Colorado and the rules and regulations of this Commission.

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 the authority of Respondent, being Certificate No. 1416, be, and the same hereby is, revoked and cancelled as of August 20, 1971, provided, however, that in lieu of said revocation and cancellation, Respondent:

a. File its 1970 Annual Report with this Commission on or before August 20, 1971;

b. In addition pay the sum of Fifty (\$50.00) Dollars to the Public Utilities Commission, on or before August 20, 1971, to be deposited to the Public Utilities Commission Motor Carrier Fund No. 4-4318, under and pursuant to the provisions of the Public Utilities Law.

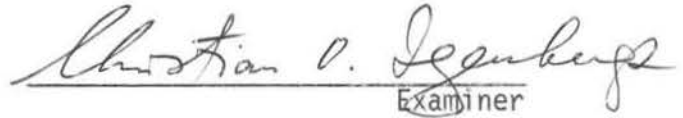
2. In which event, if said full payment be made, and the 1970 Annual Report filed as Ordered, the said revocation and cancellation of said authority shall be null and void and of no effect, and said authority shall be fully operative.

3. 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.

4. 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 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

(Decision No. 78203)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF

Irvin W. Hayward
430 Harlan
Lakewood, Colorado 80215

AUTHORITY NO. M-15474

CASE NO. 7198-M-Ins.

July 15, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On July 12, 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.

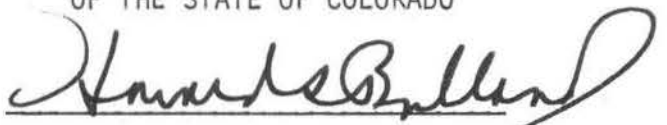

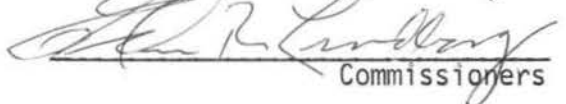
The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

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 July 1971

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE: MOTOR VEHICLE OPERATIONS UNDER)	
CERTIFICATE No. 3312	)	<u>CASE NO. 166-AR</u>
)	
BY: CITY WIDE RUBBISH REMOVAL SERVICE	)	RECOMMENDED DECISION OF
6691 EAST 80TH AVENUE	)	CHRISTIAN O. IGENBERGS,
COMMERCE CITY, CO 80022	)	EXAMINER
)	
Respondent)	

July 20, 1971

Appearances: Ralph H. Knull, Denver, Colorado
of the Staff of the Commission

PROCEDURE AND RECORD

As required by the Statutes of the State of Colorado (Chapter 115, CRS 1963, as amended) and the Rules and Regulations of this Commission: Rule 26 of Rules and Regulations Governing Common Carriers by Motor Vehicle, and Administrative Ruling No. 2 concerning Annual Reports of Motor Vehicle Contract Carriers, Annual Reports are to be filed with this Commission, not later than three months after the close of the calendar year.

The Respondent did not file an Annual Report with this Commission for the calendar year 1970 by June 9, 1971.

The Commission, by Decision No. 77879, dated June 9, 1971, ordered Respondent to appear before the Commission on July 13, 1971, 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 as may be appropriate, including, but not limited to, an Order cancelling the Respondent's Certificate No. 3312.

The Commission, pursuant to law, designated Christian O. Igenbergs as an Examiner for the purpose of conducting the hearing in the above-entitled matter.

The Hearing was held at the aforesaid time and place.

Harold L. Lootens testified for and on behalf of the Staff of the Commission.

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 as may be appropriate, including, but not limited to, an Order cancelling the Respondent's Certificate No. 3312;
2. Respondent, City Wide Rubbish Removal Service, 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. This Commission has jurisdiction over said Respondent and the subject matter of these proceedings;
4. Annual Report Forms were mailed to Respondent on January 4, 1971;
5. On May 7, 1971, Respondent was notified and required to file an Annual Report for the calendar year 1970 within twenty-one (21) days from the date of said notice;
6. The files and records of the Commission disclose that Respondent has violated the law and the rules and regulations of the Commission by failing to file the required 1970 Annual Report within the time specified by this Commission;
7. The Commission, by Decision No. 77879, dated June 9, 1971, Case No. 166-AR, issued an Order to show cause and Notice of Hearing to Respondent;
8. Hearing was held on July 13, 1971;
9. Respondent failed to appear before the Commission as directed by Decision No. 77879, dated June 9, 1971.

CONCLUSIONS ON FINDINGS OF FACT

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

1. The authority of Respondent, being Certificate No. 3312, be revoked and cancelled as of August 20, 1971, provided, however, that in lieu of said revocation and cancellation, Respondent may pay the sum of Fifty Dollars (\$50.00) to the Public Utilities Commission, and in addition file its 1970 Annual Report with this Commission, on or before August 20, 1971, as an alternative penalty assessed for the violation of the Public Utilities Law of the State of Colorado and the rules and regulations of this Commission.

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 the authority of Respondent, being Certificate No. 3312, be, and the same hereby is, revoked and cancelled as of August 20, 1971, provided, however, that in lieu of said revocation and cancellation, Respondent:

a. File its 1970 Annual Report with this Commission on or before August 20, 1971;

b. In addition pay the sum of Fifty (\$50.00) Dollars to the Public Utilities Commission, on or before August 20, 1971, to be deposited to the Public Utilities Commission Motor Carrier Fund No. 4-4318, under and pursuant to the provisions of the Public Utilities Law.

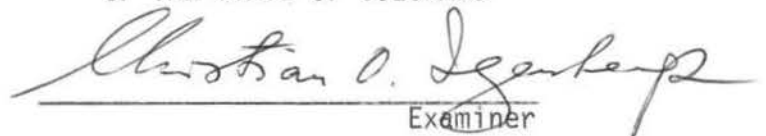
2. In which event, if said full payment be made, and the 1970 Annual Report filed as Ordered, the said revocation and cancellation of said authority shall be null and void and of no effect, and said authority shall be fully operative.

3. 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.

4. 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 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

(Decision No. 78205)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
CERTIFICATE No. 3491)

CASE NO. 168-AR

BY: W. H. HALL)
1038 CHERRYVALE ROAD)
BOULDER, CO 80302)

RECOMMENDED DECISION OF
CHRISTIAN O. IGENBERGS,
EXAMINER

Respondent)

July 20, 1971

Appearances: Ralph H. Knull, Denver, Colorado
of the Staff of the Commission

PROCEDURE AND RECORD

As required by the Statutes of the State of Colorado (Chapter 115, CRS 1963, as amended) and the Rules and Regulations of this Commission: Rule 26 of Rules and Regulations Governing Common Carriers by Motor Vehicle, and Administrative Ruling No. 2 concerning Annual Reports of Motor Vehicle Contract Carriers, Annual Reports are to be filed with this Commission, not later than three months after the close of the calendar year.

The Respondent did not file an Annual Report with this Commission for the calendar year 1970 by June 10, 1971.

The Commission, by Decision No. 77881, dated June 10, 1971, ordered Respondent to appear before the Commission on July 13, 1971, 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 as may be appropriate, including, but not limited to, an Order cancelling the Respondent's Certificate No. 3491.

The Commission, pursuant to law, designated Christian O. Igenbergs as an Examiner for the purpose of conducting the hearing in the above-entitled matter.

The Hearing was held at the aforesaid time and place.

Harold L. Lootens testified for and on behalf of the Staff of the Commission.

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 as may be appropriate, including, but not limited to, an Order cancelling the Respondent's Certificate No. 3491;
2. Respondent, W. H. Hall, 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. This Commission has jurisdiction over said Respondent and the subject matter of these proceedings;
4. Annual Report Forms were mailed to Respondent on January 4, 1971;
5. On May 7, 1971, Respondent was notified and required to file an Annual Report for the calendar year 1970 within twenty-one (21) days from the date of said notice;
6. The files and records of the Commission disclose that Respondent has violated the law and the rules and regulations of the Commission by failing to file the required 1970 Annual Report within the time specified by this Commission;
7. The Commission, by Decision No. 77881, dated June 10, 1971, Case No. 168-AR, issued an Order to show cause and Notice of Hearing to Respondent;
8. Hearing was held on July 13, 1971;
9. Respondent failed to appear before the Commission as directed by Decision No. 77881, dated June 10, 1971.

CONCLUSIONS ON FINDINGS OF FACT

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

1. The authority of Respondent, being Certificate No. 3491, be revoked and cancelled as of August 20, 1971, provided, however, that in lieu of said revocation and cancellation, Respondent may pay the sum of Fifty Dollars (\$50.00) to the Public Utilities Commission, and in addition file its 1970 Annual Report with this Commission, on or before August 20, 1971, as an alternative penalty assessed for the violation of the Public Utilities Law of the State of Colorado and the rules and regulations of this Commission.

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 the authority of Respondent, being Certificate No. 3491 be, and the same hereby is, revoked and cancelled as of August 20, 1971, provided, however, that in lieu of said revocation and cancellation, Respondent:

a. File its 1970 Annual Report with this Commission on or before August 20, 1971;

b. In addition pay the sum of Fifty (\$50.00) Dollars to the Public Utilities Commission, on or before August 20, 1971, to be deposited to the Public Utilities Commission Motor Carrier Fund No. 4-4318, under and pursuant to the provisions of the Public Utilities Law.

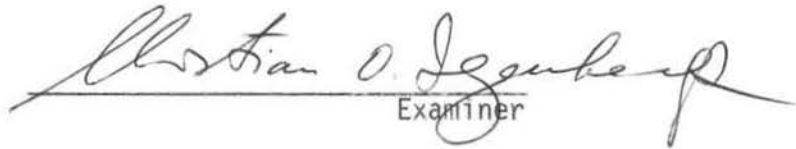
2. In which event, if said full payment be made, and the 1970 Annual Report filed as Ordered, the said revocation and cancellation of said authority shall be null and void and of no effect, and said authority shall be fully operative.

3. 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.

4. 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 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

(Decision No. 78206)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE: MOTOR VEHICLE OPERATIONS UNDER)	
CERTIFICATE No. 3711)	CASE NO. 172-AR
BY: A-1 RUBBISH SERVICE)	
763 RALEIGH STREET)	RECOMMENDED DECISION OF
DENVER, CO 80204)	CHRISTIAN O. IGENBERGS,
	EXAMINER
Respondent)	

July 20, 1971

Appearances: Ralph H. Knull, Denver, Colorado
of the Staff of the Commission

PROCEDURE AND RECORD

As required by the Statutes of the State of Colorado (Chapter 115, CRS 1963, as amended) and the Rules and Regulations of this Commission: Rule 26 of Rules and Regulations Governing Common Carriers by Motor Vehicle, and Administrative Ruling No. 2 concerning Annual Reports of Motor Vehicle Contract Carriers, Annual Reports are to be filed with this Commission, not later than three months after the close of the calendar year.

The Respondent did not file an Annual Report with this Commission for the calendar year 1970 by June 10, 1971.

The Commission, by Decision No. 77885, dated June 10, 1971, ordered Respondent to appear before the Commission on July 13, 1971, 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 as may be appropriate, including, but not limited to, an Order cancelling the Respondent's Certificate No. 3711.

The Commission, pursuant to law, designated Christian O. Igenbergs as an Examiner for the purpose of conducting the hearing in the above-entitled matter.

The Hearing was held at the aforesaid time and place.

Harold L. Lootens testified for and on behalf of the Staff of the Commission.

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 as may be appropriate, including, but not limited to, an Order cancelling the Respondent's Certificate No. 3711;
2. Respondent, A-1 Rubbish Service, 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. This Commission has jurisdiction over said Respondent and the subject matter of these proceedings;
4. Annual Report Forms were mailed to Respondent on January 4, 1971;
5. On May 7, 1971, Respondent was notified and required to file an Annual Report for the calendar year 1970 within twenty-one (21) days from the date of said notice;
6. The files and records of the Commission disclose that Respondent has violated the law and the rules and regulations of the Commission by failing to file the required 1970 Annual Report within the time specified by this Commission;
7. The Commission, by Decision No. 77885, dated June 10, 1971, Case No. 172-AR, issued an Order to show cause and Notice of Hearing to Respondent;
8. Hearing was held on July 13, 1971;
9. Respondent failed to appear before the Commission as directed by Decision No. 77885, dated June 10, 1971.

CONCLUSIONS ON FINDINGS OF FACT

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

1. The authority of Respondent, being Certificate No. 3711, be revoked and cancelled as of August 20, 1971, provided, however, that in lieu of said revocation and cancellation, Respondent may pay the sum of Fifty Dollars (\$50.00) to the Public Utilities Commission, and in addition file its 1970 Annual Report with this Commission, on or before August 20, 1971, as an alternative penalty assessed for the violation of the Public Utilities Law of the State of Colorado and the rules and regulations of this Commission.

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 the authority of Respondent, being Certificate No. 3711, be, and the same hereby is, revoked and cancelled as of August 20, 1971, provided, however, that in lieu of said revocation and cancellation, Respondent:

a. File its 1970 Annual Report with this Commission on or before August 20, 1971;

b. In addition pay the sum of Fifty (\$50.00) Dollars to the Public Utilities Commission, on or before August 20, 1971, to be deposited to the Public Utilities Commission Motor Carrier Fund No. 4-4318, under and pursuant to the provisions of the Public Utilities Law.

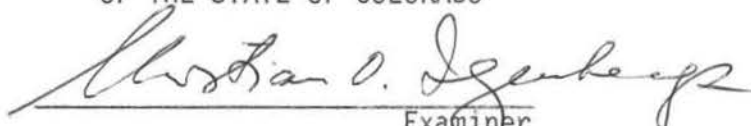
2. In which event, if said full payment be made, and the 1970 Annual Report filed as Ordered, the said revocation and cancellation of said authority shall be null and void and of no effect, and said authority shall be fully operative.

3. 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.

4. 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 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

(Decision No. 78207)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE: MOTOR VEHICLE OPERATIONS UNDER)	
CERTIFICATE No. 5861	)	<u>CASE NO. 175-AR</u>
BY: THOMAS H. LINZY)	
LONG ROAD ROUTE 2	)	RECOMMENDED DECISION OF
LITTLETON, CO 80120	)	CHRISTIAN O. IGENBERGS,
	)	EXAMINER
Respondent)	

July 20, 1971

Appearances: Ralph H. Knull, Denver, Colorado,
of the Staff of the Commission

PROCEDURE AND RECORD

As required by the Statutes of the State of Colorado (Chapter 115, CRS 1963, as amended) and the Rules and Regulations of this Commission: Rule 26 of Rules and Regulations Governing Common Carriers by Motor Vehicle, and Administrative Ruling No. 2 concerning Annual Reports of Motor Vehicle Contract Carriers, Annual Reports are to be filed with this Commission, not later than three months after the close of the calendar year.

The Respondent did not file an Annual Report with this Commission for the calendar year 1970 by June 10, 1971.

The Commission, by Decision No. 77888, dated June 10, 1971, ordered Respondent to appear before the Commission on July 13, 1971, 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 as may be appropriate, including, but not limited to, an Order cancelling the Respondent's Certificate No. 5861.

The Commission, pursuant to law, designated Christian O. Igenbergs as an Examiner for the purpose of conducting the hearing in the above-entitled matter.

The Hearing was held at the aforesaid time and place.

Harold L. Lootens testified for and on behalf of the Staff of the Commission.

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 as may be appropriate, including, but not limited to, an Order cancelling the Respondent's Certificate No. 5861;
2. Respondent, Thomas H. Linzy, 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. This Commission has jurisdiction over said Respondent and the subject matter of these proceedings;
4. Annual Report Forms were mailed to Respondent on January 4, 1971;
5. On May 10, 1971, Respondent was notified and required to file an Annual Report for the calendar year 1970 within twenty-one (21) days from the date of said notice;
6. The files and records of the Commission disclose that Respondent has violated the law and the rules and regulations of the Commission by failing to file the required 1970 Annual Report within the time specified by this Commission;
7. The Commission, by Decision No. 77888, dated June 10, 1971, Case No. 175-AR, issued an Order to show cause and Notice of Hearing to Respondent;
8. Hearing was held on July 13, 1971;
9. Respondent failed to appear before the Commission as directed by Decision No. 77888, dated June 10, 1971.

CONCLUSIONS ON FINDINGS OF FACT

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

1. The authority of Respondent, being Certificate No. 5861, be revoked and cancelled as of August 20, 1971, provided, that in lieu of said revocation and cancellation, Respondent may pay the sum of Fifty Dollars (\$50.00) to the Public Utilities Commission, and in addition file its 1970 Annual Report with this Commission, on or before August 20, 1971, as an alternative penalty assessed for the violation of the Public Utilities Law of the State of Colorado and the rules and regulations of this Commission.

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 the authority of Respondent, being Certificate No. 5861, be, and the same hereby is, revoked and cancelled as of August 20, 1971, provided, however, that in lieu of said revocation and cancellation, Respondent:

a. File its 1970 Annual Report with this Commission on or before August 20, 1971;

b. In addition pay the sum of Fifty (\$50.00) Dollars to the Public Utilities Commission, on or before August 20, 1971, to be deposited to the Public Utilities Commission Motor Carrier Fund No. 4-4318, under and pursuant to the provisions of the Public Utilities Law.

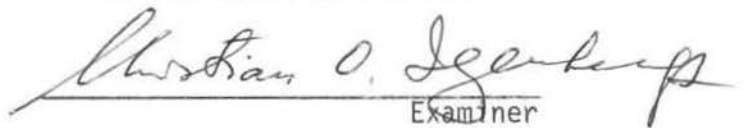
2. In which event, if said full payment be made, and the 1970 Annual Report filed as Ordered, the said revocation and cancellation of said authority shall be null and void and of no effect, and said authority shall be fully operative.

3. 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.

4. 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 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

(Decision No. 78208)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE: MOTOR VEHICLE OPERATIONS UNDER )	) <u>CASE NO. 141-AR</u>
CERTIFICATE Nos. 346 & 1310 & I)	
PERMIT No. A-419)	
BY: CORNELIUS TRANSFER & STORAGE)	
1ST AND SANTA FE)	
LA JUNTA, CO 80150)	RECOMMENDED DECISION OF
	CHRISTIAN O. IGENBERGS,
	EXAMINER
Respondent)	
-----)	

July 20, 1971

Appearances: Ralph H. Knull, Denver, Colorado
of the Staff of the Commission

PROCEDURE AND RECORD

As required by the Statutes of the State of Colorado (Chapter 115, CRS 1963, as amended) and the Rules and Regulations of this Commission: Rule 26 of Rules and Regulations Governing Common Carriers by Motor Vehicle, and Administrative Ruling No. 2 concerning Annual Reports of Motor Vehicle Contract Carriers, Annual Reports are to be filed with this Commission, not later than three months after the close of the calendar year.

The Respondent did not file an Annual Report with this Commission for the calendar year 1970 by June 4, 1971.

The Commission, by Decision No. 77786, dated June 4, 1971, ordered Respondent to appear before the Commission on July 13, 1971, 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 as may be appropriate, including, but not limited to, an Order cancelling the Respondent's Certificate Nos. 346 and 1310 & I and Permit No. A-419.

The Commission, pursuant to law, designated Christian O. Igenbergs as an Examiner for the purpose of conducting the hearing in the above-entitled matter.

The Hearing was held at the aforesaid time and place.

Harold L. Lootens testified for and on behalf of the Staff of the Commission.

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 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 as may be appropriate, including, but not limited to, an Order cancelling the Respondent's Certificate Nos. 346 and 1310 & I and Permit No. A-419;
2. Respondent, Cornelius Transfer & Storage, is a common and contract carrier by motor vehicle, and a public utility in the meaning of the Public Utilities Law of the State of Colorado;
3. This Commission has jurisdiction over said Respondent and the subject matter of these proceedings;
4. Annual Report Forms were mailed to Respondent on January 4, 1971;
5. On April 15, 1971, Respondent was notified and required to file an Annual Report for the calendar year 1970 within twenty-one (21) days from the date of said notice;
6. The files and records of the Commission disclose that Respondent has violated the law and the rules and regulations of the Commission by failing to file the required 1970 Annual Report within the time specified by this Commission;
7. The Commission, by Decision No. 77786, dated June 4, 1971, Case No. 141-AR, issued an Order to show cause and Notice of Hearing to Respondent;
8. Hearing was held on July 13, 1971;
9. Respondent failed to appear before the Commission as directed by Decision No. 77786, dated June 4, 1971.

CONCLUSIONS ON FINDINGS OF FACT

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

1. The authority of Respondent, being Certificate Nos. 346 & 1310 & I and Permit No. A-419, be revoked and canceled as of August 20, 1971, provided, that in lieu of said revocation and cancellation, Respondent may pay the sum of Fifty Dollars (\$50.00) to the Public Utilities Commission, and in addition file its 1970 Annual Report with this Commission, on or before August 20, 1971, as an alternative penalty assessed for the violation of the Public Utilities Law of the State of Colorado and the rules and regulations of this Commission.

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 the authority of Respondent, being Certificate Nos. 346 and 1310 & I and Permit No. A-419, be, and the same hereby are, revoked and cancelled as of August 20, 1971, provided, however, that in lieu of said revocation and cancellation, Respondent:

a. File its 1970 Annual Report with this Commission on or before August 20, 1971;

b. In addition pay the sum of Fifty (\$50.00) Dollars to the Public Utilities Commission, on or before August 20, 1971, to be deposited to the Public Utilities Commission Motor Carrier Fund No. 4-4318, under and pursuant to the provisions of the Public Utilities Law.

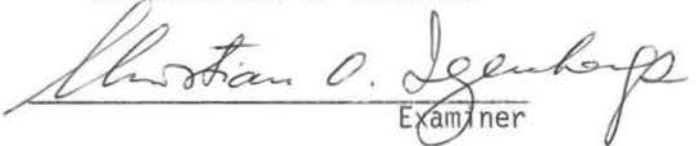
2. In which event, if said full payment be made, and the 1970 Annual Report filed as Ordered, the said revocation and cancellation of said authority shall be null and void and of no effect, and said authority shall be fully operative.

3. 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.

4. 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 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

(Decision No. 78209)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
LOWELL O. BELL)
311 EAST 36TH STREET)
DURANGO, COLORADO 81301)
-----)

PERMIT NO. B-6637

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.


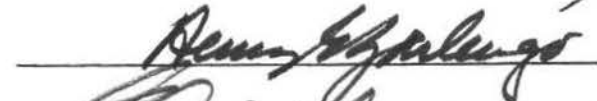
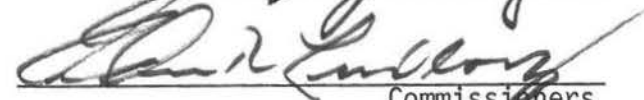
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective July 10, 1971.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

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

(Decision No. 78210)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
COLORADO CARTAGE COMPANY, INC., 5275	)	APPLICATION NO.
QUEBEC STREET, COMMERCE CITY, COLORADO,	)	24654-Extension-Amended
FOR A CERTIFICATE OF PUBLIC CONVENIENCE.)	
AND NECESSITY TO EXTEND OPERATIONS UNDER)	
PUC NO. 692 AND PUC NO. 692-I, INCLUDING	)	VACATING AND DISMISSING APPLICATION
SUBSTITUTE SERVICE BY AIRCRAFT.)	

- - - - -
July 23, 1971
- - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Applicant, Colorado Cartage Company, Inc., herein seeks a Certificate of Public Convenience and Necessity to extend operations under PUC No. 692 and PUC No. 692-I.

On June 18, 1971, the above-captioned application was set for hearing on Monday, August 23, 1971, at 10:00 a.m. in the hearing room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado.

On July 21, 1971, Applicant's attorney, Edward T. Lyons, Jr., requested by letter that the Commission vacate the hearing and dismiss the application thereon.

Considering the letter received from Applicant's attorney, it appears proper to the Commission that the hearing scheduled for August 23, 1971, be vacated and application dismissed.

O R D E R

THE COMMISSION ORDERS THAT:

1. The hearing scheduled on Application No. 24654-Extension-Amended for Monday, August 23, 1971, at 10:00 a.m. in the hearing room

of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, be vacated.

2. Application No. 24654-Extension-Amended be, and hereby is, dismissed.

This Order shall be effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

CHAIRMAN HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT PARTICIPATING.

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

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
EARL F. BUCKINGHAM, 2401 SOUTH)
DOWNING STREET, DENVER, COLORADO,)
FOR TEMPORARY APPROVAL TO ACQUIRE)
OPERATIONAL CONTROL OF HOFFMAN)
TRANSFER CO., OWNER AND OPERATOR) APPLICATION NO. 25103-Stock Transfer-TA
OF CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY PUC NO. 453 AND PUC NO.)
453-I, PENDING THE DETERMINATION OF)
THE APPLICATION FOR APPROVAL OF)
ACQUISITION OF THE STOCK OF SAID)
CARRIER.)

IN THE MATTER OF THE APPLICATION OF)
EARL F. BUCKINGHAM, 2401 SOUTH)
DOWNING STREET, DENVER, COLORADO,)
FOR TEMPORARY APPROVAL TO ACQUIRE)
OPERATIONAL CONTROL OF HOFFMAN)
TRANSFER CO., OWNER AND OPERATOR) APPLICATION NO. 25104-Stock Transfer-TA
OF CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY PUC NO. 2500 AND PUC)
NO. 2500-I, PENDING THE DETERMINA-)
TION OF THE APPLICATION FOR APPROVAL)
OF ACQUISITION OF THE STOCK OF SAID)
CARRIER.)

- - - - -
July 19, 1971
- - - - -

The above-entitled applications under CRS 1963, 115-6-20 (2),
being under consideration, and
It appearing, That Applicant has caused appropriate applications
to be filed with this Commission to acquire control of said authorities
through the purchase of all the outstanding capital stock in and to
Hoffman Transfer Co., record owner of Certificates of Public Convenience
and Necessity PUC No. 453 and PUC No. 453-I and PUC No. 2500 and PUC No.
2500-I.

It further appearing, That failure to grant temporary approval
may result in destruction of, or injury to, the properties of the Applicant
herein, or interfere substantially with their future usefulness in the

performance of adequate and continuous service to the public.

It is ordered, That Applicant 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.

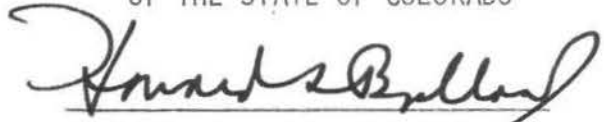
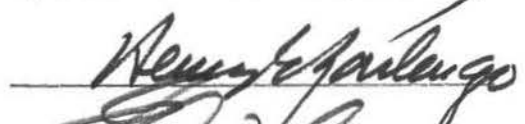

It is further ordered, That the service provided for in the Order shall not be commenced until all requirements have been met and Applicant has received notice in writing from the Commission that compliance has been effected and service may be instituted.

It is further ordered, That upon the approval 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 approval.

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 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 10th day of July, 1971.
hj

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
PUBLIC SERVICE COMPANY OF COLORADO,	)	APPLICATION NO. 24970
550 - 15TH STREET, DENVER, COLORADO,)	
FOR AN ORDER GRANTING TO IT A CERTIFI-	)	RECOMMENDED DECISION OF
CATE OF PUBLIC CONVENIENCE AND NECESSITY	)	ROBERT E. COMMINS, EXAMINER
TO EXERCISE FRANCHISE RIGHTS IN THE CITY)	
OF LEADVILLE, LAKE COUNTY, COLORADO, FOR)	
THE GENERATION, PRODUCTION, MANUFACTURE,)	
PURCHASE, STORAGE, EXCHANGE, TRANSMISSION)	
AND DISTRIBUTION OF ELECTRICAL ENERGY,)	
GASEOUS FUELS OR MIXTURES THEREOF IN SAID)	
CITY.)	

- - - - -
July 19, 1971
- - - - -

Appearances: Lee, Bryans, Kelly and Stansfield,
Esqs., Denver, Colorado by
Donald D. Cawelti, Esq., for Applicant.
L. K. Christolear, Denver, Colorado,
of the Staff of the Commission.

PROCEDURE AND RECORD

The above-entitled application was filed by Public Service Company of Colorado (Applicant) on April 30, 1971. By this application, Applicant seeks an order of the Commission for a certificate of public convenience and necessity to exercise franchise rights in the City of Leadville, County of Lake, State of Colorado, for the generation, production, manufacture, purchase, storage, exchange, transmission, and distribution of electrical energy and gaseous fuels.

Upon due and proper notice to all interested parties, the matter was set for hearing on July 8, 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 by Hearing Examiner Robert E. Commins, to whom the matter was duly assigned. No one appeared at the hearing in opposition to the granting of the application.

Exhibits A and B were tendered and admitted into evidence.

Official notice was taken of the following documents on file with the Commission, to-wit: Decision No. 53186 and Decision No. 66605.

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 E. Commins 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

From the record herein, the Hearing Examiner finds as fact that:

1. Applicant is a corporation, organized and existing under and by virtue of the laws of the State of Colorado, and is a public utility operating company subject to the jurisdiction of this Commission, engaged primarily in the generation, purchase, transmission, distribution and sale of electric energy and the purchase, distribution, and sale of natural gas at various points within the State of Colorado.

2. A certified copy of Applicant's Certificate of Incorporation, together with all amendments thereto, has heretofore been filed with this Commission.

3. On March 2, 1971, the City Council of the City of Leadville passed Ordinance No. 3 - Series 1971, granting a gas and electric franchise to Applicant, which ordinance was entitled:

AN ORDINANCE GRANTING A FRANCHISE BY THE CITY OF LEADVILLE, LAKE COUNTY, COLORADO, TO PUBLIC SERVICE COMPANY OF COLORADO, ITS SUCCESSORS AND ASSIGNS, TO CONSTRUCT, PURCHASE, ACQUIRE, LOCATE, MAINTAIN, OPERATE AND EXTEND INTO, WITHIN AND THROUGH SAID CITY, PLANTS, WORKS, SYSTEMS AND FACILITIES FOR THE GENERATION, PRODUCTION, MANUFACTURE, PURCHASE, STORAGE, EXCHANGE, TRANSMISSION AND DISTRIBUTION OF ELECTRICAL ENERGY, GASEOUS FUELS OR MIXTURES THEREOF, BY MEANS OF PIPES, MAINS, CONDUITS, WIRES, CABLES, POLES AND STRUCTURES, OR OTHERWISE, ON, OVER, UNDER, ALONG AND ACROSS ALL STREETS, ALLEYS, VIADUCTS, BRIDGES, ROADS, LANES, PUBLIC WAYS AND OTHER PUBLIC PLACES IN SAID CITY OF LEADVILLE TO SELL, FURNISH AND DISTRIBUTE SAID PRODUCTS TO THE CITY AND THE INHABITANTS THEREOF; AND FIXING THE TERMS AND CONDITIONS THEREOF.

A copy of said franchise was offered and accepted into evidence as Exhibit A. The said franchise is for a term of 25 years and provides for a franchise consideration to be paid to the City in the amount of 2% of gross gas revenue and 2% of gross electric revenue, with certain exclusions.

4. Under franchise granted by Ordinance No. 2-1959, dated May 5, 1959, and under authority of a Certificate of Public Convenience and Necessity of this Commission granted in Decision No. 53186, dated October 8, 1959, the Applicant has previously been providing electric power to the people of Leadville.

5. Under franchise granted by Ordinance No. 9-1955 dated January 7, 1955, and transferred to the Public Service Company from Leadville Utility Company with the approval of the Commission in Decision No. 66605, dated January 1, 1966, Applicant has been furnishing natural gas to the people of Leadville.

6. Applicant obtains its natural gas for distribution and sale in Leadville from Western Slope Gas Company, a wholly owned subsidiary of Applicant, and supplies electric energy from its interconnected generating and transmission system.

7. There is no other public utility in the business of distributing electricity or gas in said City of Leadville. The population of the City in 1970 was 4,314. As of June 1971, Applicant served 1,510 electric customers and 791 gas customers in the City. Existing facilities of the Applicant, which the Commission finds to be adequate, will be utilized in continuing service. Applicant's 1970 annual report to the Commission, which demonstrated Applicant's financial ability to perform its franchise obligations, was received in evidence as Exhibit B.

8. Public convenience and necessity requires, and will require, the exercise by Applicant of the franchise rights granted in and by said Ordinance No. 3 - Series 1971, of the City of Leadville for the generation production, manufacture, purchase, storage, exchange, transmission, and distribution of electrical energy and gaseous fuels in the City.

CONCLUSION

It is the conclusion of the Hearing Examiner that the authorization sought in the application should be granted and that the following Order should be entered.

RECOMMENDED ORDER

THE COMMISSION ORDERS:

1. That public convenience and necessity requires, and will require, the exercise by Applicant of the franchise rights granted in and by Ordinance No. 3 - Series 1971, of the City of Leadville marked Exhibit A herein, which by reference is made a part hereof, for the generation, production, manufacture, purchase, storage, exchange, transmission, and distribution of electrical energy and gaseous fuels or mixtures thereof by Applicant in said City, and this Order shall be deemed and held to be a CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY therefor.

2. That the authority granted by Decision No. 53186 is canceled and superseded by the authority herein granted.

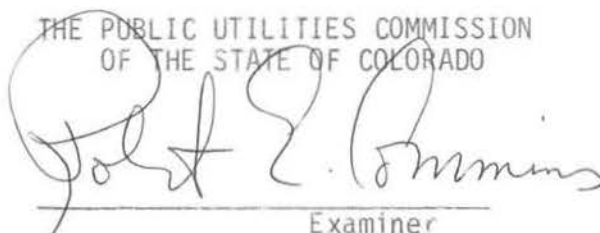
3. That so much of the authority granted by Decision No. 66605, which deals with the distribution of natural gas within the City of Leadville, is canceled and superseded by the authority herein granted.

4. That Applicant shall install, operate, and maintain its electric and gas systems and supply service in the City of Leadville in accordance with its schedules of rates, classifications, rules, and regulations now on file with this Commission, or as the same may be changed according to law and the rules and regulations of this Commission.

5. That Applicant shall continue to maintain its books and accounts in accordance with the Uniform System of Accounts, and shall continue to keep its practices in accordance with the Rules Regulating the Service of Electric and Gas Utilities in accordance with the Commission's requirements.

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
hj

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE: APPLICATION TO PUBLISH ON LESS)
THAN STATUTORY NOTICE RATES APPLICABLE)
TO BEVERAGES FROM DENVER TO DURANGO,)
COLORADO)

APPLICATION NO. 25114

July 19, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On July 15, 1971, J. R. Smith, Chief of Tariff Bureau, filed application No. 460 requesting permission to publish and make effective on five days notice the following:

Beverages, as described in Item 72160 of the governing classification, minimum weight 50,000 pounds, from Denver to Durango, 60¢ per 100 pounds.

The petition represents the rates and provisions will be published in the Colorado Motor Carriers' Association, Agent, Tariff No. 12-B, Colorado P.U.C. No. 19, for the account of Rio Grande Motor Way, Inc. and Westway Motor Freight, Inc.

It is represented that at the present time the movement is being handled by commercial carriage, that it is seasonal in nature and that it does not have long to run; consumption during the summer time is high mainly to the influx of tourists into the area, and that assurances has been given from the shipper that it will remove their trucks now serving the Durango area; the transportation service will return revenue of 88.75 cents per loaded mile; that it is compensatory due to the fact it will help to balance the outbound hauling of lumber and allied products for one of the carriers.

The Rio Grande Motor Way, Inc. concurs in this request.

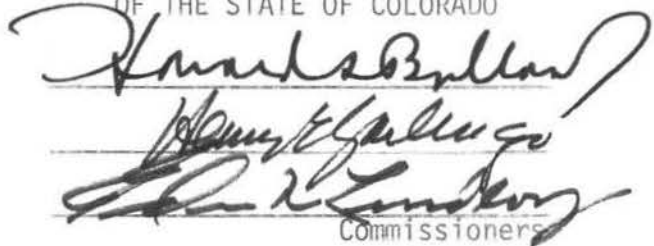
Under the provisions of Rule 19 G of the Commission's Rules of Practice and Procedure, the Commission finds that the request is in the public interest and should be allowed to be published.

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 the petitioner may publish the rates and provisions as set forth in the Statement hereof upon five (5) days notice to the Commission and general public. Reference shall be cited on the referred to schedules of the decision and date of the order.
3. That this order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado, this
19th day of July, 1971.

dh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
CARL J. SCAVO AND PATRICIA M. SCAVO,)	APPLICATION NO. 25080-PP-TA
DOING BUSINESS AS "SCAVO TRUCKING &)	
TOWING," 3347 W. 53RD AVENUE, DENVER,)	ORDER GRANTING TEMPORARY AUTHORITY
COLORADO, FOR TEMPORARY AUTHORITY TO)	
OPERATE AS A CLASS "B" CONTRACT)	
CARRIER BY MOTOR VEHICLE.)	

- - - - -
July 19, 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
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
Applicants have received notice in writing from the Commission that
compliance has been effected and service may be instituted.

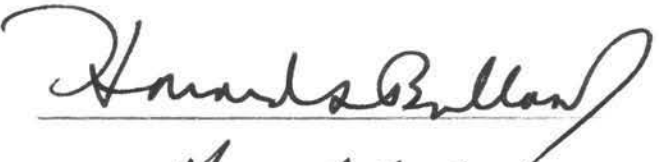


It is further ordered, That upon the authority herein granted
becoming effective, failure of the Applicants to maintain compliance
with statutory and Commission requirements shall constitute sufficient
grounds for suspension, change or revocation of the said authority.

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

Dated at Denver, Colorado,
this 19th day of July, 1971.
hbp

APPENDIX

Application No. 25080-PP-TA

Carl J. Scavo and Patricia M. Scavo
Doing Business as
"Scavo Trucking & Towing"
3347 W. 53rd Avenue
Denver, 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)	
BURL ENTERPRISES, INC., 10930 W.)	APPLICATION NO. 25081-PP-TA
44TH AVENUE, WHEAT RIDGE, COLORADO,)	
FOR TEMPORARY AUTHORITY TO OPERATE)	ORDER GRANTING TEMPORARY AUTHORITY
AS A CLASS "B" CONTRACT CARRIER BY)	
MOTOR VEHICLE.)	

- - - - -
July 20, 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.

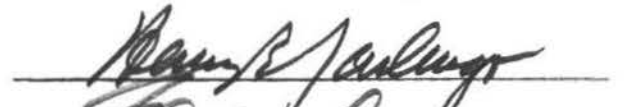
It is further ordered, That if Applicant fails to comply
with all applicable statutory and Commission requirements, rules and

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 20th day of July, 1971.
hbp

APPENDIX

Application No. 25081-PP-TA

Burl Enterprises, Inc.
10930 W. 44th Avenue
Wheat Ridge, 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.

"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. 78216)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
JOHN P. MEENEY AND JAMES S. MEENEY,)	APPLICATION NO. 25092-PP-Extension-TA
DOING BUSINESS AS "J & J MEENEY,")	
ROUTE 2, BOX 250, GLENWOOD SPRINGS,)	ORDER GRANTING TEMPORARY AUTHORITY
COLORADO, FOR TEMPORARY AUTHORITY)	
TO EXTEND OPERATIONS UNDER CONTRACT)	
CARRIER PERMIT NO. B-6684.)	

July 20, 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 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 Applicants have received notice in writing from the Commission that compliance has been effected and service may be instituted.



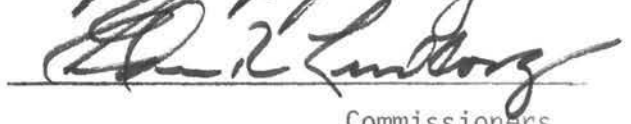
It is further ordered, That upon the authority herein granted becoming effective, failure of the Applicants to maintain compliance with statutory and Commission requirements shall constitute sufficient grounds for suspension, change or revocation of the said authority.

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

Dated at Denver, Colorado,
this 20th day of July, 1971.
hbp

APPENDIX

Application No. 25092-PP-Extension-TA

John P. Meeney and James S. Meeney,
Doing Business As
"J & J Meeney"
Route 2, Box 250
Glenwood Springs, 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 - 180 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 extend operations under Contract Carrier Permit No. B-6684 with authority as follows:

"(1) Transportation of

Rock dust (in sacks)

From Glenwood Springs, Colorado, and Carbondale, Colorado, to Axial, Colorado.

RESTRICTION: Item No. 1 of this temporary authority restricted to rendering transportation service for only ColoWyo Coal Co., Denver, Colorado.

(2) Transportation of

Loose volcanic ash, cinders, and pumice

From the Dotsero Block Co., Dotsero, Colorado, to points located within an area comprised of the Counties of Garfield, Eagle, and Pitkin, State of Colorado.

(3) Transportation of

Volcanic ash, cinders, and pumice (in blocks)

From the Dotsero Block Co., Dotsero, Colorado, to Axial, Colorado.

RESTRICTION: Item No. 3 of this temporary authority restricted to rendering transportation service for only ColoWyo Coal Co., Denver, Colorado."

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER)	
CERTIFICATE OF AUTHORITY NO.	)	CASE NO. 179-AR
7909.)	
	)	RECOMMENDED DECISION OF
CREIGHTON DENNIES AND	)	CHRISTIAN O. IGENBERGS,
CHRISTOPHER L. LAVEO	)	EXAMINER
P.O. BOX 281)	
CRESTED BUTTE, COLORADO 81224	)	DISMISSING CASE
)	
Respondents)	

July 20, 1971

Appearances: Ralph H. Knull, Denver,
Colorado, of the Staff
of the Commission.

PROCEDURE AND RECORD

By Decision No. 77892, dated June 10, 1971, the Commission found as fact that Respondents were in violation of the Public Utilities Law of the State of Colorado having failed to submit an Annual Report on their operations in the calendar year 1970 as required by the law and the rules and regulations of this Commission and ordered said Respondents 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 Respondents' Certificate of Public Convenience and Necessity PUC No. 7909.

The Commission assigned Docket No. 179-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.

Respondents 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. Certificate of Public Convenience and Necessity PUC No. 7909 is owned by Creighton Dennies and Christopher L. Laveo, a partnership. An application, Docket No. 25053-Transfer, was filed with the Commission on May 28, 1971, and is presently pending. Said application requests authority to transfer Certificate of Public Convenience and Necessity PUC No. 7909 from the aforesaid partnership to one William V. Crank, Box 466, Crested Butte, Colorado.

2. On July 14, 1971, the Annual Report was filed with this Commission and a letter of explanation dated July 13, 1971, filed by the said William V. Crank and addressed to this Commission was received together with the Annual Report. The letter explains that both Messrs. Dennies and Laveo, the partners and legal owners of Certificate of Public Convenience and Necessity PUC No. 7909, had failed to submit the Annual Report as required by the rules and regulations of this Commission, and that Transferee, William V. Crank, has diligently attempted to secure the Report and has finally been able to do so.

3. It is found that although the responsibility to submit the 1970 Annual Report to this Commission, in accordance with the rules and regulations of this Commission, was that of the Transferors, the Transferee has made every effort possible to comply with the order as required under Decision No. 77892.

4. It is further found that the Transferee and the general public will be greatly inconvenienced by the revocation of the authority.

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

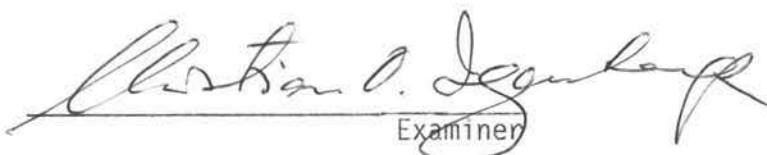
THE COMMISSION ORDERS:

1. That Case No. 179-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

(Decision No. 78218)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
A. J. FENISON, 1235 TONKA STREET,)	APPLICATION NO. 25082-PP-TA
COLORADO SPRINGS, COLORADO, FOR)	
TEMPORARY AUTHORITY TO OPERATE AS)	ORDER GRANTING TEMPORARY AUTHORITY
A CLASS "B" CONTRACT CARRIER BY)	
MOTOR VEHICLE.)	

July 20, 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 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.

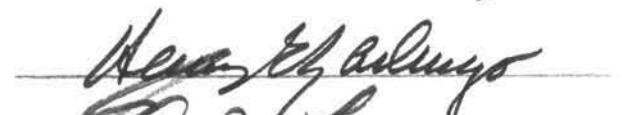
It is further ordered, That if Applicant fails to comply with
all applicable statutory and Commission requirements, rules and

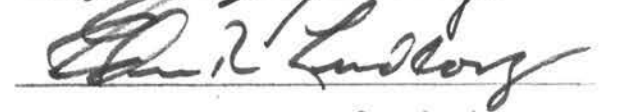
regulations within fifteen (15) days from the date hereof, this Order shall be of no further force and effect.

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 20th day of July, 1971.
hbp

APPENDIX

Application No. 25082-PP-TA

A. J. Fenison
1235 Tonka Street
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 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)	
RALPH L. NOFFSINGER, DOING BUSINESS)	APPLICATION NO. 25096-PP-TA
AS "R. L. NOFFSINGER CONST. CO.,")	
6710 W. 64TH AVE., ARVADA, COLORADO,)	ORDER GRANTING TEMPORARY AUTHORITY
FOR TEMPORARY AUTHORITY TO OPERATE)	
AS A CLASS "B" CONTRACT CARRIER BY)	
MOTOR VEHICLE.)	

- - - - -
July 20, 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.

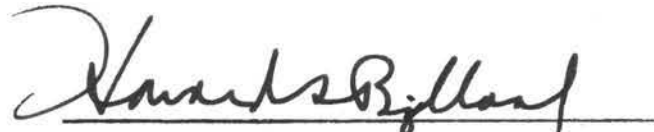


It is further ordered, That upon the authority herein granted
becoming effective, failure of the Applicant to maintain compliance
with statutory and Commission requirements shall constitute sufficient
grounds for suspension, change or revocation of the said authority.

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 20th day of July, 1971.
hbp

APPENDIX

Application No. 25096-PP-TA

Ralph L. Noffsinger
Doing Business As
"R. L. Noffsinger Const. Co."
6710 W. 64th Ave.
Arvada, 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 for hire 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)	
RALPH B. ARNOLD, JR., DOING BUSINESS)	APPLICATION NO. 25094-PP-TA
AS "BEST MAINTENANCE SERVICE," 2380)	
17TH, BOULDER, COLORADO, FOR TEMPO-)	ORDER GRANTING TEMPORARY AUTHORITY
RARY AUTHORITY TO OPERATE AS A CLASS)	
"B" CONTRACT CARRIER BY MOTOR VEHICLE.)	

- - - - -
July 20, 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.

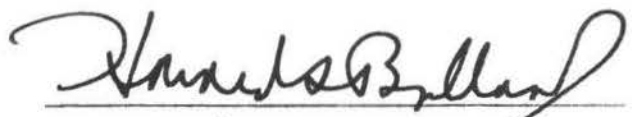

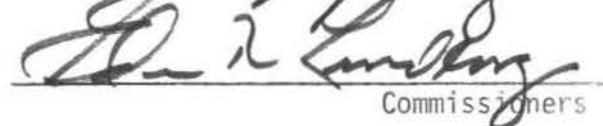
It is further ordered, That the service provided for in this
order shall not be commenced until all requirements have been met and
Applicant has received notice in writing from the Commission that compliance
has been effected and service may be instituted.

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 20th day of July, 1971.
hbp

APPENDIX

Application No. 25094-PP-TA

Ralph B. Arnold, Jr.
Doing Business As
"Best Maintenance Service"
2830 17th
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

Interoffice correspondence

Between the following listed offices of the Mountain Bell Telephone Co., Boulder, Colorado:

2040 Broadway,
1545 Walnut
3319 Spruce,
805 Walnut,
1327 Spruce,
1200 So. Broadway, and
2775 Valmont Road.

RESTRICTION: This temporary authority is restricted to rendering transportation service for only the Mountain Bell Telephone Co."

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WILLIAM C. BREWER, DOING BUSINESS AS)
"BREWER MILK LINE," ROUTE 2, CALHAN,)
COLORADO, FOR TEMPORARY APPROVAL TO)
CONDUCT OPERATIONS UNDER CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY)
PUC NO. 6487, PENDING THE DETERMIN-)
ATION OF THE APPLICATION TO ACQUIRE)
SAID CERTIFICATE.)

APPLICATION NO. 25085-Transfer-TA
ORDER GRANTING TEMPORARY APPROVAL

- - - - -
July 20, 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 Con-
venience and Necessity PUC No. 6487 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 his 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.


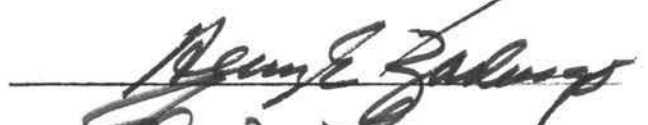
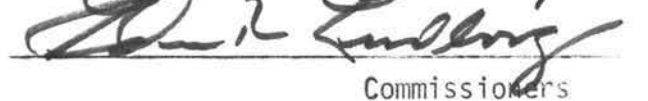
It is further ordered, That upon the approval herein granted
becoming effective, failure of the Transferee to maintain compliance

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 20th day of July, 1971.
hbp

APPENDIX

Application No. 25085-Transfer-TA

William C. Brewer
Doing Business As
"Brewer Milk Line"
Route 2
Calhan, 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. 6487 with authority as follows:

"Transportation of milk, in bulk, within the following described area: a radius of 15 miles from the El Paso County Court House, Colorado Springs, Colorado, within the southeast quadrant only."

(Decision No. 78222)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RALPH L. NOFFSINGER, DOING BUSINESS)
AS "R. L. NOFFSINGER CONST. CO.,")
6710 W. 64TH AVE., ARVADA, COLORADO,)
FOR AUTHORITY TO OPERATE AS A CLASS)
"B" CONTRACT CARRIER BY MOTOR)
VEHICLE.)

APPLICATION NO. 25096-PP

ORDER OF THE COMMISSION

July 21, 1971

It appearing, That by Order of the Commission dated July 8, 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 L. Noffsinger, doing business as "R. L. Noffsinger Const. Co.," 6710 W. 64th Ave., Arvada, 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.


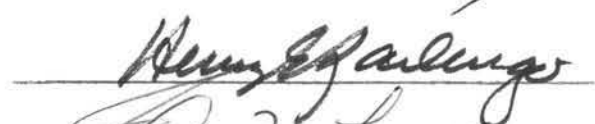

It is further ordered, That this Order is the Permit herein provided for, but it shall not become effective until Applicant has

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 21st day of July, 1971.
hbp

(Decision No. 78223)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JESSE D. STUMP, DOING BUSINESS AS)
"STUMP TRUCKING," BOX 119, STAR)
ROUTE 2, SEDALIA, COLORADO, FOR)
AUTHORITY TO OPERATE AS A CLASS "B")
CONTRACT CARRIER BY MOTOR VEHICLE.)

APPLICATION NO. 25095-PP

ORDER OF THE COMMISSION

- - - - -
July 21, 1971
- - - - -

It appearing, That by Order of the Commission dated July 8, 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 Jesse D. Stump, doing business as "Stump Trucking," Box 119, Star Route 2, Sedalia, Colorado 80135, 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.


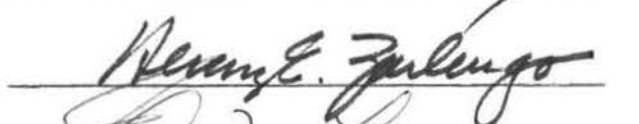

It is further ordered, That this Order is the Permit herein provided for, but it shall not become effective until Applicant has filed

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 21st day of July, 1971.
hbp

(Decision No. 78224)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

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

- - - - -
July 20, 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 Frederick M. Lynch, doing business as "Fred's Propane Service," 4743 North 55th Street, 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

Grass sod

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

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

CHAIRMAN HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 20th day of July, 1971.
js

(Decision No. 78225)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	APPLICATION NO. 25031-PP
ROBERT G. MITCHELL, 7320 GRANADA)	
ROAD, DENVER, COLORADO, FOR AUTH-)	ORDER OF THE COMMISSION
ORITY TO OPERATE AS A CLASS "B")	
CONTRACT CARRIER BY MOTOR VEHICLE.)	

- - - - -
July 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 Robert G. Mitchell, 7320 Granada Road, 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: Items 1, 2, 3, and 4 of this Permit are restricted against the use of tank vehicles when transporting road-surfacing materials.

(5) Coal

From all points located within Weld County to all points located within the Counties of Denver, Adams, Arapahoe, and Jefferson, State of Colorado."

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

CHAIRMAN HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT PARTICIPATING

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

(Decision No. 78226)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)

ERVIN HEGGIE)
2458 NORTH NINTH STREET, #67)
LARAMIE, WYOMING)

AUTHORITY NO. B-6679

CASE NO. 2925-H-Ins.

July 20, 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.

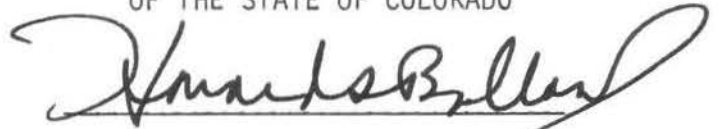


The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

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 20th day of July, 1971

(Decision No. 78227)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)

LYLE K. BRANDT)
BOX 393)
GRANBY, COLORADO 80446)

AUTHORITY NO. B-4949

CASE NO. 2995-H-Ins.

July 20, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On July 12, 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.

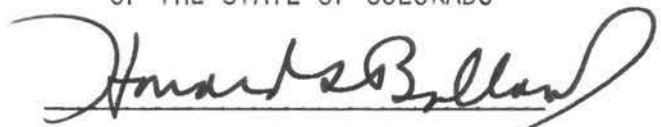


The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

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 20th day of July, 1971

(Decision No. 78228)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF

C. E. GRIFFIN, JR.
704 HAWKINS STREET
WAKE VILLAGE, TEXAS 75501

)
)
)
)
)
)
)

AUTHORITY NO. 7578-I
CASE NO. 3015-H-Ins.

July 20, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On July 12, 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.

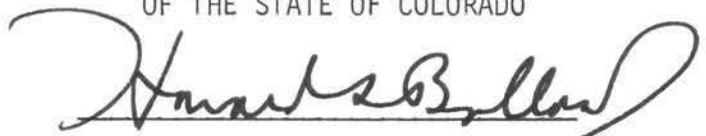


The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

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 20th day of July, 1971

(Decision No. 78229)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF INCREASED RATES)
AND CHARGES FOR THE TRANSPORTATION)
OF HOUSEHOLD GOODS BETWEEN POINTS)
IN THE STATE OF COLORADO WHEN)
SHIPMENTS ARE FOR LESS THAN THIRTY)
(30) MILES.)

INVESTIGATION AND SUSPENSION
DOCKET NO. 675

IN THE MATTER OF INCREASED RATES)
AND CHARGES FOR THE TRANSPORTATION)
OF HOUSEHOLD GOODS BETWEEN POINTS)
IN THE STATE OF COLORADO WHEN)
SHIPMENTS ARE IN EXCESS OF THIRTY)
(30) MILES.)

INVESTIGATION AND SUSPENSION
DOCKET NO. 676

RECOMMENDED DECISION OF
ROBERT L. PYLE, EXAMINER
GRANTING IN PART, AND DENYING IN PART

July 21, 1971

Appearances: Joseph F. Nigro, Esq.,
Denver, Colorado, for
Motor Vehicle Carriers of
Household Goods shown as
Participating Carriers in CMCA Local
Household Goods Tariff No. 2
Colorado PUC No. 17.,
And Tariff No. 25, Colorado PUC No. 23;

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

PROCEDURE AND RECORD

On the date of March 1, 1971, the Colorado Motor Carriers Association, for and in behalf of the carriers participating therein, filed revised pages to the Colorado Motor Carriers Local Household Goods Tariff No. 2, Colorado PUC No. 17 naming various increases therein on household goods transported less than thirty (30) miles,

and a new Tariff No. 25, Colorado PUC No. 23 naming increased rates on household goods transported in excess of 30 miles. Both the new Tariff No. 25 and the revised pages in Tariff No. 2 were scheduled to become effective on March 31, 1971.

By Decision No. 77135 dated March 12, 1971, the Commission suspended the increased rates in Local Household Goods Tariff No. 2 to and including July 29, 1971, and set the matter for hearing under I & S Docket No. 675.

By Decision No. 77136 dated March 12, 1971, the Commission suspended the provisions of Tariff No. 25 to and including July 29, 1971, and set the matter for hearing under I & S Docket No. 676.

On March 30, 1971, Mr. Joseph Nigro, for and on behalf of the Common Carriers parties to Local Household Goods Tariff No. 2, Colorado PUC No. 17, filed a petition with the Commission requesting that authority be granted to publish, on less than statutory notice, increased hourly charges of \$2.00 per hour, and a 10 percent increase in all other charges in said Tariff, or such increases as the Commission might find to be proper.

By Decision No. 77414 dated April 20, 1971, the Commission authorized the carriers party to Local Household Goods Tariff No. 2, to publish on one days notice, an increase of \$1.60 per hour for a truck and 2 men, \$1.30 per hour for a truck and one man and \$1.00 per hour for extra men at Longmont only. Said temporary increases to remain in effect until the final order in I & S Docket No. 675.

Pursuant to law, the Commission designated Robert L. Pyle as Examiner for the purpose of conducting the 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 Wednesday, June 2, 1971, at 10 a.m. The hearing was held at the aforesaid time and place.

Testimony was offered and exhibits submitted in support of the increased rates and charges by witnesses representing the following respondents:

Colorado Transfer & Storage Co.

Buehler Transfer Co.

Weicker Transfer & Storage (Denver, Pueblo and Boulder)

Bekins Van & Storage

Cowan Transfer & Storage Co. (Colorado Springs)

Weicker Transfer & Storage (Colorado Springs)

Nicholl Warehousing Co. (Colorado Springs)

City Storage & Transfer Co. (Boulder)

Fitch Van & Storage Co. (Boulder)

Amick Transfer & Storage Co.

Continental Moving & Storage Co. (Boulder)

Golden Transfer Co. (Longmont)

Johnson Storage & Moving Co.

Capitol Hill Transfer & Storage Co.

Exhibits 1, 2, 3, 4, 5, 6, 7, 8, 9, 10A, 12, 13, 14, 15, and 16 were tendered by the above named respondents 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.

DISCUSSION OF EVIDENCE

Without exception the respondent carriers herein conduct operations which are varied in scope and functions. Included in the various functions conducted by the involved carriers are: transportation of household goods intrastate under 30 miles; transportation of household goods intrastate over 30 miles; transportation of household goods interstate under 30 miles and over 30 miles; local cartage (other than household goods); packing and unpacking; storage; warehousing; heavy hauling, rentals, and movements for Government agencies at reduced rates. Of the carriers submitting evidence in this proceeding some are engaged in all of the above functions; others, but a few. In no case, however, are any two of the participating carriers operating in exactly the same manner or performing exactly the same functions. The exhibits submitted by respondents have attempted to separate by function, the revenues derived from and the expenses attributable to, each of these various functions. Analysis of the exhibits reveals that some of the respondents achieved the desired results allowing your examiner a reasonably accurate picture of their operations separated by the various functions. Others failed miserably to accomplish the intended goal. By the above statement we are not being unduly critical of the respondents. The Commission has by rule (Rule 27-E-2-a of the Rules of Practice and Procedure) required all motor vehicle common carriers to maintain their books of account in accordance with the Uniform System of Accounts as adopted by the Interstate Commerce Commission. Your examiner recognizes that the Uniform System of Accounts does not require the separation of revenues and expenses by function and that, because of this fact, it is difficult for some of the carriers to make such separations. It is our opinion, however, that such separation is not only desirable, but essential to the financial well being

of the carriers engaged in such varied activities and to the Commission to determine the applicability of rates on regulated portions of the businesses. Without such information the carrier has only one specific fact that he can rely upon. Either he is making a profit in his overall operation or he is not. As vital as this bit of information may be, it does not tell him which of his varied activities may be profitable and which may be operating at a loss. The unfortunate result of this lack of specific information, has been the imposition of increased rates upon the regulated segment of the business to compensate the overall need of the carrier enterprise.

In the current proceeding, sufficient evidence has been presented containing a breakdown of revenues and expenses by function to allow the Commission an adequate picture of the revenue needs of the carriers for the transportation of household goods. Fourteen carriers appeared at the hearing to present evidence in support of the increased rates and charges. The cities represented by said carriers included Denver, Colorado Springs, Pueblo, Longmont and Boulder. Sixteen exhibits were offered and admitted into evidence and of these an analysis has been made of thirteen which did contain a breakdown of revenues and expenses for the transportation of household goods within the 30 mile radius and of ten exhibits which contained a breakdown of revenues and expenses for transportation beyond the 30 mile radius.

The analysis revealed a wide variance in operating ratios with an overall ratio of 109.9% for the transportation under 30 miles and a ratio of 109.8% for the transportation over 30 miles. The analysis reveals also that in excess of 70% of the household goods transported in Colorado are moved within a 30 mile radius under the hourly charges and less than 30% is moved over 30 miles on per hundred weight charges.

It becomes increasingly obvious from a review of the evidence and the proposed rates that too much emphasis is being placed upon the extra labor factor. Prior to this rate filing, the extra labor charge in Denver was \$7.50 per hour and at points other than Denver \$6.50 per hour. The rates under consideration herein include extra labor charges of \$9.50 at Denver and \$8.50 at points other than Denver. Except for Colorado Springs no specific charge was published for a truck and one driver. Apparently the carriers have determined such charge at points other than Colorado Springs by subtracting the extra labor rate from the published charge for a truck and two men. To carry this one step further, the charge for a truck would be determined by subtracting the extra labor rate for two men from the charge for a truck and two men. Under this method the compensation for a truck would vary from \$5.00 per hour at Boulder and Colorado Springs; \$3.00 or \$5.00 at Denver (depending upon the carrier used); \$6.00 per hour at Longmont and \$3.00 at Pueblo. Evidence from functional cost breakdown supplied indicate that these basic truck charges are residual amounts and not based on operational costs.

The Commission is charged with the responsibility of determining that all rates are just and reasonable. By placing the emphasis on extra labor the carriers have made it increasingly difficult for the Commission to properly fulfill its obligation in this respect. For example a typical household goods carrier might have 12 trucks and have 24 men as regular employees. The basic unit for the movement of household goods is a truck and two men. It is possible therefore to determine, with some degree of accuracy, the cost of doing business for this basic unit. To arrive at the cost, all expense factors including overhead must be included and with

a stable work force this can be done. Also with a stable work force this cost can be broken down into hourly costs. Testimony disclosed the fact that the overhead factor in determining extra labor charges amounted to \$2.16 per hour. For a crew of 24 men working 173 hours per month this would amount to \$8,968.00. One of the respondents, however, testified that on occasion he might have 20 to 30 extra men for 2 or 3 days on a big office move. Using the extreme of 30 men for 3 days, he would have an overhead cost of \$1555.00. Logic, however, would indicate that there would be very little additional overhead cost and the major additional costs would be the wages and fringe benefits actually being paid to this extra help. It follows therefore, that a more logical and reasonable approach would be to assign more of the overhead costs to the truck unit, which is more stable, and to remove the overhead factor from the extra labor which may fluctuate greatly in any given period.

The carriers have demonstrated a need for additional revenue. The preponderance of the traffic is handled under the hourly rates and the discussion thus far has been directed primarily to the hourly rates under I & S Docket No. 675. Discussion should also include some of the factors involved in the rates and charges applicable on shipments moving in excess of 30 miles. Turning first to the distance scale we find that the present rates were based upon minimum weights of 4,000; 8,000 and 12,000 pounds. The proposed rates have included one additional weight bracket of 16,000 pounds. Insofar as the 4,000; 8,000 and 12,000 pound brackets are concerned the proposed rates appear to represent an approximate increase of 6%. The percentage of increase varies from distance bracket to distance bracket, and from weight bracket to weight bracket, but most appear to fall within the range of 5.7% to 6.3%. With regard to the new 16,000 pound scale the proposed represents a decrease in

the distance brackets to and including 181-190 miles, compared to the rates previously in effect on the 12,000 pound scale.

No evidence was offered in support of the charges for additional service, therefore no discussion of this matter can be made.

FINDINGS OF FACT

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

1. Respondents, herein are common carriers operating in intrastate commerce under authority granted by the Colorado Public Utilities Commission and are therefore subject to the rules and regulations of the Commission.

2. The matters under suspension in I & S Docket No. 675 and I & S Docket No. 676 have been consolidated and heard on a joint record.

3. I & S Docket No. 675 covered rates, charges and rules for the transportation of household goods for distances of 30 miles or less.

4. I & S Docket No. 676 covered rates, charges and rules for the transportation of household goods for distances of over 30 miles.

5. The hourly wages being paid under the present contract are \$4.00 per hour for drivers, \$3.90 per hour for helpers insofar as the major Denver carriers are concerned with somewhat lesser wages being paid by many of the other companies in Denver.

6. The hourly wages being paid in the towns other than Denver are less than the Denver wages. Generally 10¢ per hour less for drivers and 10¢ per hour less for helpers.

7. The maximum fringe benefits would amount to \$1.31 per hour and that this amount would be less for those employees earning less than a \$4.00 per hour base wage; those entitled to less than three weeks vacation; those who did not earn \$7,800 under FICA, and those employees

who for various reasons were not paid for the maximum number of holidays (9).

8. Some of the casual labor does not receive fringe benefit payments.

9. The maximum fringe benefit mentioned herein includes the Denver Head Tax payments which would not apply at towns other than Denver.

10. The operating ratio, based upon an average of the thirteen carriers who submitted a breakdown of revenues and expenses for the movement of household goods for a distance of 30 miles or less, was 109.89% for the year 1970.

11. The operating ratio, based upon an average of the ten carriers who submitted a breakdown of revenues and expenses for the movement of household goods for a distance of over 30 miles, was 109.77% for the year 1970.

12. No evidence relating specifically to the Accessorial Rates in items 330, 340, 370, 380, 390, 400, 410, 420, 430, and 440 in CMCA Local Household Goods Tariff No. 2, Colorado PUC No. 17, nor to Additional Services Section 1 of CMCA Tariff No. 25, Colorado PUC No. 23, was submitted by respondents and therefore no finding can be made as to the just and reasonableness of the proposed rates contained therein.

13. No evidence was submitted in support of the Pick Up and Delivery Rates on Storage in Transit shipments as proposed in Section VII of CMCA Tariff 25, Colorado PUC No. 23, and no finding can be made as to the just and reasonableness of these proposed rates.

14. The accounting procedures required by the Uniform System of Accounts adopted by the Commission does not provide adequate information, as to the revenues and expenses by function, for the carriers or the Commission.

CONCLUSIONS ON FINDINGS OF FACT

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

1. The respondents herein have shown a need for additional revenues in both I & S Docket No. 675 and I & S Docket No. 676.
2. The hourly rates for extra labor should be reduced to a level which will return to the carriers the wages actually being paid, plus fringe benefits and a reasonable profit.
3. The proposed hourly rates for a motor van, driver and helper have been shown to be just and reasonable.
4. Specific hourly rates should be established for a motor van and driver and for a motor van, driver, helper and extra men.
5. An hourly rate for additional extra men should be established commensurate with the wages being paid, plus fringe benefits and a reasonable profit.
6. Overtime labor charges should be established commensurate with wages paid, plus fringe benefits and a reasonable profit.
7. The increased rates proposed in items 330, 340, 370, 380, 390, 400, 410, 420, 430, and 440 of CMCA Tariff No. 2 Colorado PUC No. 17 should be cancelled.
8. The mileage rates in Section 11 of CMCA Household Goods Tariff 25, Colorado PUC No. 23 have been shown to be just and reasonable.
9. The rates and charges for additional services as proposed in Section 1 of CMCA Tariff No. 25, Colorado PUC No. 23 should be cancelled.
10. The rates and charges on pages 16 thru 20 (Accessorial Rates) as presently in effect, or as amended by the order in CMCA Tariff No. 2, Colorado PUC No. 17, should be published in Section 1 of Tariff No. 25, Colorado PUC No. 23 in lieu of the rates and charges ordered cancelled.

11. The rates in Section VII, of Tariff No. 25, Colorado PUC No. 23 should be cancelled.

12. The charges in item 290 (D) (3) of CMCA Tariff No. 2, Colorado PUC No. 17, as amended by this order, should be published in lieu of the proposed rates in Section VII of Tariff 25, Colorado PUC No. 23.

13. Such other amendments to the rules as are required by the amendments herein, should be made.

14. The accounting system should be amended so that a separation of revenues and expenses for each function of their business may be maintained by the carriers.

15. 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 rates and charges proposed in specific items of CMCA Local Household Goods Tariff No. 2, Colorado PUC No. 17 shall be amended as hereinafter designated:

ITEM 290 (D) (3) - amend the proposed rate for extra men at each point to read \$7.00 per hour per man.

ITEM 350 - amend the proposed rate to \$7.00 per hour

ITEM 360 - amend the proposed rate to \$3.00 per hour

ITEM 460 - amend as follows

	<u>Boulder</u>	<u>Colorado Springs</u>	<u>Denver</u>	<u>Longmont</u>	<u>Pueblo</u>
Motor Van and Driver	14.00	14.00	15.00	14.00	14.00
Motor Van Driver and Helper	22.00	22.00	24.00	22.00	22.00
Motor Van Driver, Helper & Extra Man	29.00	29.00	31.00	29.00	29.00
Additional Extra Men	7.00	7.00	7.00	7.00	7.00
Overtime Labor Charges	10.00	10.00	10.00	10.00	10.00

2. That the increases proposed in items 330, 340, 370, 380, 390, 400, 410, 420, 430, and 440 of CMCA Tariff No. 2, Colorado PUC No. 17 have not been found to be just and reasonable and are hereby ordered cancelled.

3. That all other rates, charges or rules in CMCA Local Household Goods Tariff No. 2, Colorado PUC No. 17, under suspension in I & S Docket No. 675 have been found to be just and reasonable.

4. That the mileage rates in Section 11 of CMCA Household Goods Tariff 25, Colorado PUC No. 23, have been found to be just and reasonable.

5. That the rates and charges for additional services as proposed in Section 1 of CMCA Household Goods Tariff No. 25, Colorado PUC No. 23 have not been found to be just and reasonable and are hereby ordered cancelled.

6. That the rates and charges for additional services (Accessorial Rates) presently in effect in CMCA Tariff No. 2, Colorado PUC No. 17, or as amended by this Order, shall be published in Tariff 25, Colorado PUC No. 23 in lieu of the rates and charges ordered cancelled in ordering paragraph 5 herein.

7. That the rates in Section VII, CMCA Tariff No. 25 have not been found to be just and reasonable and are hereby ordered cancelled.

8. That the transportation charges in Item 290 (D) (3) of CMCA Tariff No. 2, Colorado PUC No. 17, as amended by this Order, shall be published in Section VII of Tariff 25 in lieu of the charges ordered cancelled by ordering paragraph No. 7 herein.

9. That page 47 Section VII of Tariff No. 25 shall be amended to conform with ordering paragraph No.8 herein by striking the provisions under "Application" beginning with the words "Rates apply on:" thru and including the paragraph which ends with "(See Rule 24)".

10. That rules number 7, 8, 16 and 27 of Tariff No. 25 and the note shown in Rule No. 4 shall be cancelled due to lack of application under the amendments previously required herein.

11. That all other rates, charges or rules in CMCA Tariff No. 25, Colorado PUC No. 23 have been found to be just and reasonable.

12. That the respondent carriers herein, set up the necessary changes in their accounting procedures so that a separate accounting of the revenues and expenses of each function of their business may be maintained.

13. 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.

14. 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. 78230)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CURNOW TRANSPORTATION COMPANY, INC.,)
3445 FOX STREET, DENVER, COLORADO,)
FOR A CERTIFICATE OF PUBLIC CONVEN-)
IENCE AND NECESSITY AUTHORIZING)
OPERATION AS A COMMON CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 23587

July 21, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

By the above-entitled application filed with the Commission on January 30, 1969, Applicant herein seeks a certificate of public convenience and necessity authorizing operation as a Common Carrier by motor vehicle for hire.

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. 23587 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 21st day of July, 1971.
hbp

(Decision No. 78231)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HERB CROMER, 608 COOK DRIVE, FORT)
COLLINS, COLORADO, FOR EMERGENCY)
TEMPORARY AUTHORITY TO OPERATE AS)
A CLASS "B" CONTRACT CARRIER BY)
MOTOR VEHICLE.)

APPLICATION NO. 25125-PP-ETA
ORDER GRANTING EMERGENCY TEMPORARY
AUTHORITY

- - - - -
July 21, 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 Herb Cromer, 608 Cook Drive, Fort Collins, Colorado, be, and is hereby, granted emergency temporary authority for a period of fifteen (15) days commencing July 21, 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

CHAIRMAN HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT PARTICIPATING

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

(Decision No. 78232)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
COLORADO TANK LINES, INC., 7355 NO.)
SHERIDAN, ARVADA, COLORADO, FOR)
AUTHORITY TO EXTEND OPERATIONS UNDER)
CONTRACT CARRIER PERMIT NO. B-2376)
AND B-2376-I.)

APPLICATION NO. 25088-PP-Extension
ORDER OF THE COMMISSION

July 22, 1971

It appearing, That by Order of the Commission dated July 8, 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 Tank Lines, Inc., 7355 No. Sheridan, Arvada, Colorado, be, and is hereby, authorized to extend operations under Contract Carrier Permit No. B-2376 and B-2376-I to include 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 twenty (120) 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 twenty (120) 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 twenty (120) 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 twenty (120) 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-2376 and B-2376-I, as extended, shall read and be as follows, to wit:

"Transportation of

- (1) Petroleum products, in bulk, only

Between all points within the State of Colorado.

- (2) Contractor's materials, supplies, equipment and machinery
Between all points within the State of Colorado.

RESTRICTION: Item No. 2 of this Permit is restricted to rendering transportation service for only Burks & Co., Inc.

- (3) 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 twenty (120) miles of said pits and supply points;

- (4) 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 twenty (120) miles of said pits and supply points;

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

From and to building construction jobs, to and from points within a radius of one hundred twenty (120) miles of said jobs;

- (6) Insulrock

From pits and supply points in the State of Colorado to roofing jobs within a radius of one hundred twenty (120) miles of said pits and supply points;

RESTRICTION: Items 3, 4, 5, and 6 of this Permit are restricted against the use of tank vehicles when transporting road-surfacing materials.

- (7) 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 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 here-
under 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

CHAIRMAN HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT PARTICIPATING.

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

(Decision No. 78233)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RAYMOND J. SANDOVAL, DOING BUSINESS)
AS "SANDOVAL'S TRUCKING SERVICE,")
P. O. BOX 414, MANASSA, COLORADO,)
FOR AUTHORITY TO EXTEND OPERATIONS)
UNDER CONTRACT CARRIER PERMIT NO.)
B-7402.)

APPLICATION NO. 25097-PP-Extension

ORDER OF THE COMMISSION

- - - - -
July 22, 1971
- - - - -

It appearing, That by Order of the Commission dated July 8, 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 Raymond J. Sandoval, doing business as "Sandoval's Trucking Service," P. O. Box 414, Manassa, Colorado, be, and is hereby, authorized to extend operations under Contract Carrier Permit No. B-7402 to include the following:

"Transportation of

Farm products

Between all points located within an area comprised of the Counties of Conejos, Alamosa, Rio Grande, Saguache, Costilla, Otero, and Bent, State of Colorado.

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

It is further ordered, That henceforth the full and complete authority under Contract Carrier Permit No. B-7402, as extended, shall read and be as follows, to wit:

"Transportation of

Farm products

Between all points located within an area comprised of the Counties of Conejos, Alamosa, Rio Grande, Saguache, Costilla, Otero, and Bent, State of Colorado.

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

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

CHAIRMAN HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT PARTICIPATING.

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

(Decision No. 78234)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	APPLICATION NO. 24773
H G CORPORATION, A COLORADO CORPO-)	
RATION, DOING BUSINESS AS "GLENWOOD)	RECOMMENDED DECISION OF
SPRINGS TAXI CO.," BOX 1947, ASPEN,)	CHRISTIAN O. IGENBERGS,
COLORADO, FOR A CERTIFICATE OF)	EXAMINER
PUBLIC CONVENIENCE AND NECESSITY)	
TO OPERATE AS A COMMON CARRIER BY)	DENYING APPLICATION
MOTOR VEHICLE FOR HIRE.)	

- - - - -
July 22, 1971
- - - - -

Appearances: Truman A. Stockton, Jr., Esq.,
Denver, Colorado, for
Applicant.
David E. Driggers, Esq.,
Denver, Colorado, for
Aspen Cab Service Company
and Little Percent, Inc.,
Protestants.

PROCEDURE AND RECORD

Under date of February 1, 1971, H G Corporation, doing business as "Glenwood Springs Taxi Co.," hereinafter referred to either by the full corporate name or as 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 services as specifically set forth in said application.

The Commission assigned Docket No. 24773 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 on February 8, 1971, subsequent to the filing of the application: San Juan Tours, Inc., doing business as "Glenwood-Aspen Stages"; Aspen Cab Service Company; and Little Percent, Inc.

Pursuant to law, the Commission assigned the application to Christian O. Igenbergs, Examiner, for the purpose of conducting a hearing 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 City Council Room, Municipal Building, Glenwood Springs, Colorado, on Tuesday, March 16, 1971, at 9 a.m. The hearing was held at the said time and place.

Protestant, San Juan Tours, Inc., doing business as "Glenwood-Aspen Stages," did not appear at the hearing and did not prosecute its protest. The Examiner dismissed the protest for lack of prosecution.

Exhibits numbered 1 through 4, inclusive, were tendered and admitted into evidence.

Official notice was taken of the following documents on file with the Commission, to-wit: Articles of Incorporation of the Applicant corporation, Financial Statement, List of Equipment, and Map of area or routes to be used.

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 stockholders and directors of the corporation are Arthur C. Hyde, Mary Ann Hyde, and James Eltinge Grinnell, all residents of Aspen, Colorado.

3. Applicant does not hold previously granted authority from this Commission.

4. By this application, Applicant seeks the issuance of a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire for the following transportation service:

Transportation, in taxicab service, of passengers, their baggage and parcels not exceeding twenty (20) pounds in weight (1) between points within 10 miles of Glenwood Springs, Colorado, and (2) between points within 10 miles of Glenwood Springs, Colorado, on the one hand, and, on the other, points in Colorado.

5. This Commission has jurisdiction over the Applicant, the Protestants, and the subject matter of this proceeding.

6. Applicant has had no previous experience in taxicab operations in the State of Colorado, but the general manager of the Applicant corporation, James E. Grinnell, is generally familiar with the rules and regulations of this Commission, and, if this application were to be granted, intends to hire experienced taxicab drivers to serve under the Applicant's authority.

7. Applicant has total assets of approximately \$15,000, which said sum is sufficient to purchase the necessary equipment and operate the authority.

8. Applicant intends to provide a 24-hour a day taxicab service on a year-round basis in the subject area and provide a dispatching operation in Glenwood Springs, Colorado.

9. At the present, Applicant has no taxicab equipment but intends to purchase, if this application were to be granted, one new 1971 Checker 8-passenger taxicab and one used Checker taxicab.

10. 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 said 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."

Protestant, Aspen Cab Service Company, has been providing taxicab service under the aforesaid authority in Glenwood Springs, Colorado, since February 22, 1971. During the first week of operations from February 22 to 28, inclusive, Protestant has received total revenues of \$114 and during the first 15 days of March until the date of the hearing, \$135.

Protestant actively solicits business in Glenwood Springs, Colorado, and has one taxicab and one fulltime cab driver, a resident of Glenwood Springs, stationed in said town.

11. There are approximately 5,500 permanent residents within the Town of Glenwood Springs, Colorado, and its environs. A substantial number of visitors and tourists come to Glenwood Springs, Colorado, specifically in the summertime. The demand for taxicab service in the Glenwood Springs area, while definitely existent, is, however, limited. The taxicab service presently provided by the Aspen Cab Service Company is considered adequate. The Protestant has additional taxicabs stationed at Aspen, Colorado, some 42 road miles from Glenwood Springs, Colorado, which said equipment can be and is used as reserve equipment for the Glenwood Springs operations.

12. Considering the limited demand for taxicab service in Glenwood Springs, Colorado, and its surrounding area as established by the evidence introduced in this proceeding, at the present there is not enough taxicab business available in that area to justify the addition of another competitive carrier.

13. Applicant has failed to establish by competent evidence of record that present or future public convenience and necessity requires or will require the granting of a certificate of public convenience and necessity as sought by Applicant.

14. The granting of the application is not in the public interest.

CONCLUSIONS ON FINDINGS OF FACT

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

1. Application No. 24773 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

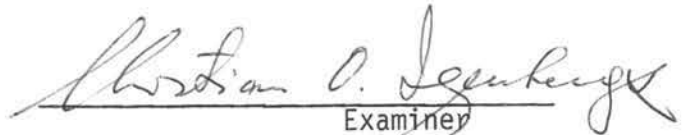
THE COMMISSION ORDERS:

1. That Application No. 24773, being an application of H G Corporation, a Colorado corporation, doing business as "Glenwood 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, 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)
D & G SANITATION, INC., DOING BUSI-)
NESS AS "ROLL-OFF SERVICE CO.,")
3721 GOODELL LANE, FORT COLLINS,)
COLORADO, FOR EMERGENCY TEMPORARY)
AUTHORITY TO OPERATE AS A CLASS "B")
CONTRACT CARRIER BY MOTOR VEHICLE.)

APPLICATION NO. 25137-PP-ETA
ORDER DENYING EMERGENCY TEMPORARY
AUTHORITY

July 22, 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


Commissioners

CHAIRMAN HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT PARTICIPATING

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

(Decision No. 78236)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)

HERBERT H. WEBB DBA)
WEBB TRAILER SALES)
6570 North Federal)
Denver, Colorado 80211)

AUTHORITY NO. M 5124

CASE NO. 7155-M-Ins.

July 21, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On July 12, 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.

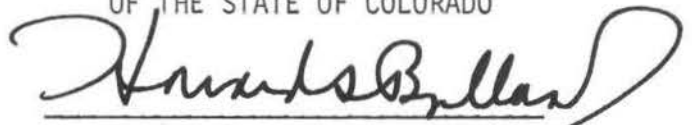
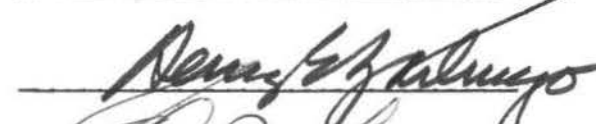

The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

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 21st day of July, 1971

(Decision No. 78237)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WELLS FARGO ARMORED SERVICE CORPORATION,)
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 COMMON CARRIER)
BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 24638

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 AUTHORIZING EXTENSION OF)
OPERATIONS UNDER PUC NO. 692 AND PUC NO.)
692-I.)

APPLICATION NO. 24713-Extension

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 AUTHORIZING EXTENSION OF)
OPERATIONS UNDER PUC NO. 692 AND PUC NO.)
692-I.)

APPLICATION NO. 24654-Extension

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 AUTHORIZING EXTENSION OF)
OPERATIONS UNDER PUC NO. 692 AND PUC NO.)
692-I.)

APPLICATION NO. 24628-Extension

IN THE MATTER OF THE APPLICATION OF)
WELLS FARGO ARMORED SERVICE CORPORATION,)
210 BAKER STREET N.E., P.O. BOX 4313,)
ATLANTA, GEORGIA, TO EXTEND OPERATIONS)
UNDER PERMIT NO. B-958 AND PERMIT NO.)
B-958-I.)

APPLICATION NO. 24604-PP-Extension

IN THE MATTER OF THE APPLICATION OF)
WELLS FARGO ARMORED SERVICE CORPORATION,)
210 BAKER STREET N.E., P.O. BOX 4313,)
ATLANTA, GEORGIA, TO EXTEND OPERATIONS)
UNDER PERMIT NO. B-5540.)

APPLICATION NO. 24605-PP- Extension

ORDER DENYING MOTION FOR
EXTRAORDINARY RELIEF

- - - - -
July 22, 1971
- - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On July 14, 1971, Wells Fargo Armored Service Corporation (Wells Fargo), by its Attorneys, Herbert M. Boyle, Esq. and Messrs. Rothgerber, Appel and Powers, filed its Motion for Extraordinary Relief in the above-entitled and numbered proceedings.

In its Motion for Extraordinary Relief, Wells Fargo alleges that Colorado Cartage and Murph's Express, Inc. are creating a hardship on Wells Fargo by exhausting their remedies under the Rules of Practice and Procedure of this Commission. On the basis of that allegation, Wells Fargo contends that the applications of Colorado Cartage Company, Inc. (Colorado Cartage), in the above-entitled applications numbered 24628, 24713, and 24654, should be stayed and no further proceedings taken thereon until a final determination of Wells Fargo's own Application No. 24638. Wells Fargo further alleges that two applications which it itself has recently filed, in Application No. 24604-PP and in Application No. 24605-PP, should be advanced on the docket for hearing and determination.

Colorado Cartage has filed a Motion to Strike the Wells Fargo motion as it applies to the application of Colorado Cartage in Application No. 24628.

In support of its Motion to Strike, Colorado Cartage points out that Wells Fargo is not now a party of record in Application No. 24628 and that, accordingly, it has no standing to file a pleading such as the Motion for Extraordinary Relief in that proceeding.

The Commission finds that all of the actions which have been taken by Colorado Cartage with respect to the above-captioned applications of

Wells Fargo have been done in accordance with the applicable statutes and pursuant to the Rules of Practice and Procedure of the Commission. The Commission further finds that Wells Fargo is not now, nor is it entitled to become, a party of record in the applications of Colorado Cartage which are pending in Application No. 24628 and Application No. 24654. The former application (No. 24628) has already been the subject of extensive hearings and stands fully submitted at this time awaiting the issuance of a Recommended Decision by the Hearing Examiner. Colorado Cartage has itself voluntarily requested withdrawal of the latter application (No. 24654). The fact that the Commission, by its Decision No. 77662, dated May 18, 1971, granted Wells Fargo permissive leave to intervene, subject to prescribed conditions, in Colorado Cartage's Application No. 24713, creates no precedent which would justify either granting the same such relief in the other applications of Colorado Cartage to which reference has been made or, much less, granting Wells Fargo's current Motion for Extraordinary Relief. The circumstances under which the intervention of Wells Fargo was permissively and conditionally allowed in Application No. 24713 are not present in either of the other two pending applications of Colorado Cartage, one of which has already been fully heard and the other of which will be dismissed. The Commission further finds that the applications of Colorado Cartage in Application No. 24628 and in Application No. 24713 are following the normal procedure of the Commission in such matters, that a final determination of such applications does not depend upon a prior final determination of Wells Fargo's Application No. 24638, and that no good cause has been shown for holding any of the pending applications of Colorado Cartage in abeyance pending the outcome of the Wells Fargo application in No. 24638.

Accordingly, the Commission finds that the Motion for Extraordinary Relief of Wells Fargo should be stricken from the record in the above-entitled application of Colorado Cartage in Application No. 24628, and that said motion by Wells Fargo should be denied as it applies to all of the other above-entitled and numbered proceedings.

O R D E R

THE COMMISSION ORDERS:

That the Motion for Extraordinary Relief of Wells Fargo Armored Service Corporation be, and hereby is, stricken from the record in Application No. 24628, and that said motion be, and hereby is, denied as it applies to all of the other above-captioned application proceedings.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

CHAIRMAN HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT PARTICIPATING.

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

(Decision No. 78238)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	APPLICATION NO. 24627-Extension
JOHN R. WALTER, DOING BUSINESS AS)	
"JACK WALTER TRUCKING," ROUTE 2,)	RECOMMENDED DECISION OF
BOX 156, LA JUNTA, COLORADO, FOR A)	CHRISTIAN O. IGENBERGS,
CERTIFICATE OF PUBLIC CONVENIENCE)	EXAMINER
AND NECESSITY AUTHORIZING EXTENSION)	
OF OPERATIONS UNDER PUC NO. 2703.)	GRANTING EXTENSION TO PUC NO. 2703

July 23, 1971

Appearances: John P. Thompson, Esq.,
Denver, Colorado, for Applicant;
Leslie R. Kehl, Esq.,
Denver, Colorado, for 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 October 23, 1970, 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.

The Commission assigned Docket No. 24627-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.

The following protests were received subsequent to the filing of the application: on November 9, 1970, the protest of Heath & Son and Turpin Trucking, Inc.; on November 17, 1970, the protest of T. L. Tucker; and on November 25, 1970, the protest of Ralph Loyd.

Pursuant to law, the Commission assigned the application to Christian O. Igenbergs, Examiner, for the purpose of conducting a hearing 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, La Junta, Colorado, on Tuesday, February 16, 1971, at 10 a.m. The hearing was held at the said time and place.

At the commencement of the hearing, Applicant requested leave to amend the application so that the extended authority would read as follows, to wit:

"Transportation of

Livestock

1. Between points in a territory consisting of Otero, Crowley, Bent, Baca, Prowers, and Kiowa Counties, that portion of Cheyenne County lying south of U.S. Highway 40, and that portion of Las Animas, Pueblo, El Paso, and Lincoln Counties lying within 50 miles of La Junta, Colorado, and
2. Between points described in paragraph 1 on the one hand and on the other hand, points in the State of Colorado.

RESTRICTION: Operations under the foregoing authority shall be limited to one office in La Junta, Colorado, or within a two-mile radius of said City of La Junta, Colorado, for the purpose of soliciting business.

3. Freight

Between all points within 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."

The amendment, being restrictive in nature, was granted by the Examiner.

Exhibits numbered 1 through 19, inclusive, were admitted into evidence. Exhibit No. 20 was rejected.

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 John R. Walter, a resident of La Junta, Colorado, doing business as "Jack Walter Trucking."

2. Applicant in this matter operates a public utility, as defined in Chapter 115, CRS 1963, as amended.

3. Applicant holds previously granted authority from this Commission, namely, Certificate of Public Convenience and Necessity PUC No. 2703, which reads as follows, to wit:

"Transportation of

Livestock

Between points within a radius of fifty miles of La Junta, Colorado, and from and to said radius, to and from all points within the State of Colorado,

Provided, however, that said certificate shall be limited to one office in La Junta, Colorado, or within a two-mile radius of said City of La Junta, Colorado, for the purpose of soliciting business."

4. The authority to which extension is hereby sought, PUC No. 2703, has been continually operated in the past and is presently in good standing with the Commission.

5. By this application, Applicant seeks to extend the authority under Certificates of Public Convenience and Necessity PUC No. 2703 and PUC No. 2703-I, in essence, as follows, to wit:

"Transportation of livestock (a) between points in a territory which lie beyond a 50-mile radius of La Junta, Colorado, in the following counties, State of Colorado: Baca, Prowers, and Kiowa, and that portion of the County of Cheyenne, State of Colorado, lying south of U.S. Highway No. 40; (b) between points described in paragraph (a) on the one hand, and, on the other hand, points in the State of Colorado."

6. The extension applied for herein is compatible with and does not conflict with or duplicate the authority presently held by Applicant.

7. Protestants in this matter are common carriers by motor vehicle for hire and they respectively hold the following authorities granted by this Commission, to wit:

Heath & Son and Turpin Trucking Inc. - Certificate of Public Convenience and Necessity PUC No. 1433, which said authority, inter alia, reads as follows:

Transportation:

- (1) Sheep between points in the area bounded as follows: commencing at a point where the north boundary of Cheyenne County intersects the Colorado-Kansas state line, thence south along said line to the southeast corner of the state, thence west along the Colorado-New Mexico state line to a point where said line would be intersected by State Highway 71, extended, thence north along said highway extension and said State Highway to a point where said highway would be intersected by the north boundary line of Cheyenne County, extended, thence east along said extension and said north boundary line of Cheyenne County to the point of beginning, and from and to points in said area, to and from points in the State of Colorado;
- (2) Livestock, except sheep, between points in the area bounded on the east and south by the Colorado state line, on the west by a line drawn north and south through Swink, Colorado; on the north by the southern boundary line of Kiowa County (excepting therefrom such portions of said area as are included in the territory served by J. D. Green and that part of the area served by John Hixon which was not served by said Good under his private carrier permit), and from and to points in said area, to and from points in the State of Colorado.

Ralph Loyd - Certificate of Public Convenience and Necessity
PUC No. 757, which said authority, inter alia, reads as follows:

"Transportation of general freight, from point to point within an area of 30 miles of Walsh, Colorado, and from points within said area, to and from other points in the State of Colorado, in irregular service, . . ."

T. L. Tucker - Certificate of Public Convenience and Necessity
PUC No. 1407, which said authority, inter alia, reads as follows:

"Transportation of

- (1) Livestock, specifically including cattle, sheep, hogs, horses, and mules.

Between points within that part of the state of Colorado which lies east of a line drawn north and south through Rocky Ford, Colorado, and from and to points in said area, to and from points in the State of Colorado."

The above enumerated authorities are, in whole or in part, in conflict with the extended authority as requested by the Applicant herein.

8. This Commission has jurisdiction over the Applicant, the Protestants, and the subject matter of this proceeding.

9. Applicant owns or leases 8 tractors and 8 trailers, 40 to 50 feet in length, which said equipment is ample and suitable for the operation of the authority applied for herein (Exhibit No. 4, Equipment List of Applicant).

10. Applicant has sufficient experience, some 21 years, in the transportation of cattle. Moreover, through the testimony of numerous shippers of livestock to and from the subject area, Applicant has established that he and his employees are paying particular attention to the intrastate transportation needs of the livestock industry regardless of whether the shippers are large quantity shippers or small individual operators. The evidence of record further establishes that Applicant cleans his trucks after every move of cattle in order to prevent the spreading of any contagious cattle diseases and moves the cattle shipments offered to him as quickly as possible in order to prevent weight loss.

11. Through the testimony of the same witnesses, Applicant has established that there is a need in the territory applied for in the petition for extension of authority for the service of Applicant.

12. Applicant has a net worth of some \$182,000, which said sum is ample and sufficient for the operation of the authority applied for herein (Exhibit No. 5, Balance Sheet of Applicant as of December 31, 1970).

13. Applicant and his employees 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, Applicant has or will make adequate provision for insurance.

14. Protestant T. L. Tucker did not present any evidence at the hearing with regard to the quantity of shipments or the revenues that could be lost or diverted by the Applicant if the requested extended authority were to be granted. Protestant, Heath & Son and Turpin Trucking, Inc., presented evidence at the hearing that some of its revenues which it derives from hauling cattle may be subject to diversion if the Applicant's requested authority were to be granted (Exhibit No. 13, Equipment List and an Abstract of Shipments of the Protestant). Protestant did not establish, however, what percentage or portion of its revenues might thus be lost and it remains uncertain whether or not there would be a loss at all. Protestant, Ralph

Loyd, is principally a hauler of livestock. He did not establish, however, on the record, that the granting of the extended authority to Applicant would render his services economically unfeasible so that he could not continue to serve under his authority.

15. The hauling of cattle is a more or less seasonal business and within the periods of time when the cattle are either shipped from the sales barns to the ranches for grazing in the spring or in the fall from the graze to the sales barns or feed lots, there is a great need for equipment and drivers to move the cattle as quickly as possible. The evidence of record indicates that at such time in the subject area, particularly during the fall shipping period, there is still a shortage of equipment to transport cattle, that small operators have to wait for the equipment one or several days, and quite often they cannot take advantage of a price rise in the cattle market due to the lack of such equipment and, consequently, delays in shipping. The Applicant states that he will pay particular attention to the needs of the small shippers; that he has, in the past, and will, in the future, provide equipment and drivers as quickly as humanly possible after a request has been received; and that he will secure additional equipment if the need for such equipment should arise.

16. The present or future public convenience and necessity requires or will require the granting of the extended authority as hereinafter set forth.

17. The granting of the extension 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 John R. Walter, doing business as "Jack Walter Trucking," Route 2, Box 156, La Junta, Colorado, be, and hereby is, authorized to extend operations under Certificate of Public Convenience and Necessity PUC No. 2703 as follows, to wit:

"Transportation of livestock (a) between points in a territory which lie beyond a 50-mile radius of La Junta, Colorado, in the following counties, State of Colorado: Baca, Prowers, and Kiowa, and that portion of the County of Cheyenne, State of Colorado, lying south of U.S. Highway No. 40; (b) between points described in paragraph (a), on the one hand, and, on the other hand, points in the State of Colorado."

2. That henceforth the full and complete authority under Certificates of Public Convenience and Necessity PUC No. 2703 and PUC No. 2703-I shall read and be as follows, to wit:

(1) Transportation -- on call and demand -- of
Livestock

Between all points within an area comprised of the counties of Otero, Crowley, Bent, Prowers, and Kiowa, and that portion of the County of Cheyenne lying south of U.S. Highway No. 40 and that portion of the counties of Las Animas, Pueblo, El Paso, and Lincoln lying within a fifty (50) mile radius of La Junta, Colorado, and between said points on the one hand, and all points within the State of Colorado on the other hand.

RESTRICTION:

Item (1) of this Certificate is restricted as follows: The holder or operator herein is prohibited, without further order from this Commission, from establishing an office in any other city or town than La Junta, Colorado, and a two (2) mile radius thereof, for the purpose of soliciting business.

(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.

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.

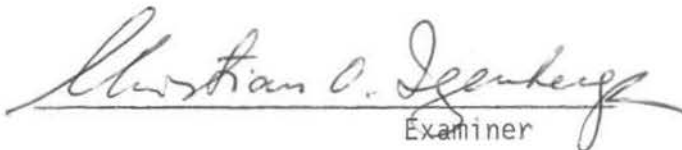
4. That Applicant shall operate his carrier system in accordance with this Order, except when prevented by an Act of God, the public enemy, or extreme conditions.

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
hbp

(Decision No. 78239)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RINGSBY TRUCK LINES, INC., A NEBRASKA)
CORPORATION, 3201 RINGSBY COURT,)
DENVER, COLORADO, AND HARP TRANSPOR-)
TATION LINE, INC., A COLORADO CORPO-)
RATION, DOING BUSINESS AS "HARP)
TRANSPORTATION LINE," MEEKER, COLO-)
RADO, FOR AUTHORITY TO TRANSFER PUC)
NO. 717 AND PUC NO. 717-I TO HARP)
TRANSPORTATION LINE, INC., A COLORADO)
CORPORATION, DOING BUSINESS AS "HARP)
TRANSPORTATION LINE," MEEKER, COLO-)
RADO, AND FOR AUTHORITY TO AMALGAMATE)
PUC NO. 717 AND PUC NO. 717-I WITH)
PUC NO. 152 AND PUC NO. 152-I SO AS)
TO PROVIDE THROUGH TRANSPORTATION)
BETWEEN POINTS AUTHORIZED IN PUC NO.)
717 AND PUC NO. 717-I AND PUC NO. 152)
AND PUC NO. 152-I.)

APPLICATION NO. 24316-Transfer

DECISION OF THE COMMISSION
ENTERED AFTER FURTHER HEARING

July 23, 1971

Appearances: John H. Lewis, Esq.,
Denver, Colorado,
for Applicants;
Henry V. Elwood, Esq.,
Denver, Colorado,
for Applicants;
John F. Mueller, Esq.,
Denver, Colorado,
for Applicants;
Warren D. Braucher, Esq.,
Denver, Colorado, for
Rio Grande Motor Way, Inc.,
Larson Transportation Company,
and Ephraim Freightways, Inc.,
Protestants;
Dalton O. Ford,
Denver, Colorado, of the
Staff of the Commission.

PROCEDURE AND RECORD

On April 29, 1970, Ringsby Truck Lines, Inc., and Harp Transportation Line, Inc., hereinafter referred to by their full corporate names, as Ringsby, as Harp, or, collectively, as Applicants, filed their application (No. 24316-Transfer) with this Commission in the within

matter for authority to transfer Certificates of Public Convenience and Necessity PUC No. 717 and PUC No. 717-I from Ringsby Truck Lines, Inc., to Harp Transportation Line, Inc.

On May 20, 1970, Rio Grande Motor Way, Inc., hereinafter referred to by full corporate name or as Rio Grande, filed a protest to the said application.

On September 14, 1970, Rio Grande filed an application for a subpoena duces tecum commanding the production of certain documents subject to the control of Donald W. Ringsby. On September 14, 1970, the Commission issued such subpoena.

The application was heard by Examiner Robert L. Pyle on a joint record with Application Nos. 24317-PP-Transfer and 24318-PP-Transfer. Hearing was held at Denver, Colorado, on October 26, 1970, and at Craig, Colorado, on October 28, 1970. Eugene Hamilton (Traffic Manager of Ringsby) and Bern H. Harp (Manager and Secretary-Treasurer of Harp) were called at Denver and testified there as witnesses for Applicants. Wally Fletchinger (General Traffic Manager of Rio Grande) was called at Denver and testified there in opposition to the granting of the application. Roger H. Walker (owner of a motel and liquor store in Craig), Duane Dunnica (owner of a bar and cafe in Dinosaur), John Harding (a local distributor for Coors Beer in Craig), Don R. Showalter (Manager of Greeley Gas Company in Craig), Jim Snyder (an officer of Mountain Oil Distributing Company in Craig), Tom Parks (owner of an auto parts company in Craig), Delbert Findley (an officer of Craig Tire Mileage, Incorporated in Craig), Gerald Rohde (store manager of National Supply, Division of Armco Steel Corporation in Craig) and Floyd Reid (a local car dealer in Craig) were called at Craig and testified there as witnesses for Applicants. Bern H. Harp was again called at Craig and gave additional testimony there in support of the application. During the course of the hearing at Denver on October 26, 1970, the following exhibits were offered into evidence:

- Exhibit No. 1 - Applicants - Agreement of Sale for transfer of the authority.
- Exhibit No. 2 - Applicants - A map of the authority to be transferred.
- Exhibit No. 3 - Applicants - A copy of the customer list filed with the Commission for Contract Carrier Permit No. A-329.
- Exhibit No. 4 - Applicants - A copy of the customer list filed with the Commission for Contract Carrier Permit No. A-347.
- Exhibit No. 5 - Applicants - A traffic study showing certain shipments transported in intrastate commerce between certain points in Colorado on selected dates in 1969 and 1970.
- Exhibit No. 6 - Applicants - An extrapolation document prepared from Exhibit No. 5.
- Exhibit No. 7 - Applicants - A traffic study showing shipments transported in interstate commerce between certain points in Colorado on selected days.
- Exhibit No. 8 - Applicants - A certificate of public convenience and necessity issued by the Interstate Commerce Commission in Docket No. MC-57209, Sub No. 254.
- Exhibit No. 9 - Applicants - A certificate of public convenience and necessity issued by the Interstate Commerce Commission in Docket No. MC-52709, Sub No. 28.
- Exhibit No. 10 - Applicants - Authority sheet for Harp, for Certificate of Public Convenience and Necessity PUC No. 152 and PUC No. 152-I.
- Exhibit No. 11 - Applicants - Equipment list of Harp.
- Exhibit No. 12 - Applicants - Balance sheet of Harp as of December 31, 1969.
- Exhibit No. 13 - Protestant - System map of Rio Grande.
- Exhibit No. 14 - Protestant - Equipment list of Rio Grande.
- Exhibit No. 15 - Protestant - Terminal list of Rio Grande.
- Exhibit No. 16 - Protestant - A traffic study for the period of September 1970 showing traffic transported by Rio Grande between points involved in the application.

Exhibits numbered 1, 2, 3, 4, 5, 6, 10, 11, 12, 13, 14, 15 and 16 were admitted into evidence. Exhibits numbered 7, 8 and 9 were rejected by the Examiner. At the request of counsel for Rio Grande, the Hearing Examiner took official notice of Certificate of Public Convenience and Necessity PUC No. 149 issued to Rio Grande Motor Way, Inc. (October 26, 1970, Transcript at page 79).

On January 15, 1971, by Decision No. 76669, the Hearing Examiner recommended a grant of Application No. 24316-Transfer.

On February 2, 1971, Protestant, Rio Grande, by its attorney, Warren D. Braucher, filed with the Commission a motion requesting an extension of time within which to file exceptions to the Recommended Decision of the Examiner in Application No. 24316-Transfer and by Decision No. 76857, dated February 5, 1971, the extension of time was granted. On March 8, 1971, exceptions of Protestant, Rio Grande, were filed.

On March 15, 1971, by Decision No. 77153, the Commission found that the original notice of the filing of Application No. 24316-Transfer did not give proper notice of the fact that the Applicants desired to amalgamate Certificates of Public Convenience and Necessity PUC No. 717 and PUC No. 717-I and PUC No. 152 and PUC No. 152-I, and that the proper notice thereof should be given. The Commission also found in Decision No. 77153 that a further hearing was necessary in order for the Commission to enter its Decision and Order and set for further hearing, on a joint record, Application Nos. 24316-Transfer, 24317-PP-Transfer and 24318-PP-Transfer, at Denver, Colorado, on April 20, 1971.

On March 17, 1971, due and proper notice of the further hearing was given to all interested persons, firms and corporations.

On March 25, 1971, Rio Grande Motor Way, Inc., filed a protest to the said application. On March 25, 1971, Larson Transportation Company, hereinafter referred to by full corporate name or as Larson, filed a protest to the said application. On April 2, 1971, Ephraim Freightways, Inc., hereinafter referred to by full corporate name or as Ephraim, filed a protest to the application.

Further hearing was held on April 20, 1971, at Denver, Colorado, before Commission Chairman Howard S. Bjelland and Commissioner Edwin R. Lundborg. Bern H. Harp (Manager and Secretary-Treasurer of Harp) and Wayne E. Lucore (Vice President of Traffic for Ringsby) were called at the further hearing and testified there as witnesses for Applicants. Wally Fletchinger (General Traffic Manager for Rio Grande Motor Way, Inc., and Larson Transportation Company) and Jerome W. Ephraim (President of Ephraim Freightways, Inc.) were called at the further hearing and testified there in opposition to the granting of the application. During the course of the further hearing, the following exhibits were offered and admitted into evidence:

- Exhibit No. 17 - Applicants - Financial statement of Harp for the year ending December 31, 1970.
- Exhibit No. 18 - Protestants - A traffic study for the period of March 1971 showing traffic transported by Rio Grande in the territory involved in the application.
- Exhibit No. 19 - Protestants - A traffic study for the period of March 1971 showing traffic transported by Rio Grande between Denver, on the one hand, and, on the other, Grand Junction and points intermediate between Rifle and Grand Junction, Colorado.
- Exhibit No. 20 - Protestants - Authority sheet for Larson Transportation Company, for Certificate of Public Convenience and Necessity PUC No. 331 and PUC No. 331-I.
- Exhibit No. 21 - Protestants - System map of Larson.
- Exhibit No. 22 - Protestants - Equipment list of Larson.
- Exhibit No. 23 - Protestants - Terminal list of Larson.
- Exhibit No. 24 - Protestants - A traffic study for the period of March 1971 showing traffic transported by Larson between Denver and Craig, Colorado.

Upon conclusion of the taking of further evidence, the Chairman directed the filing of briefs and proposed decisions. The briefing process was completed on June 7, 1971, and the matter is now ready for determination. 115-6-9 (2), 1963 CRS, as amended, provides in part:

"The commission, upon its own motion may, and where exceptions are filed it shall, reconsider the matter, either upon the same record or after further hearings, and such recommended decision shall thereupon be stayed or postponed pending final determination thereof by the commission. The commission may adopt, reject, or modify the findings of fact and conclusions of such individual commissioners or examiners, or, after examination of the record of any such proceeding, enter its decision and order therein without regard to the findings of fact and conclusions of any individual commissioner or examiner."

The Commission, pursuant to the above-cited statutory authorization, has examined the record of the instant proceeding and after further hearing has determined to enter its Decision and Order herein without regard to the findings of fact and conclusions of the Hearing Examiner as contained in Recommended Decision (Decision No. 76669).

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. Ringsby Truck Lines, Inc., Transferor herein, is the present owner of Certificate of Public Convenience and Necessity PUC No. 717 and PUC No. 717-I, which is the subject of this proceeding. Note: For an explanation of I (interstate) authorizations, see Commission Decision No. 66777.

2. PUC No. 717 and PUC No. 717-I, as pertinent hereto, generally authorize common carrier operations in a portion of northwestern Colorado generally bounded by Grand Junction on the south and Craig and Rifle on the east. The letter of authority issued by the Commission relative to PUC No. 717 and PUC No. 717-I provides as follows:

UNDER: Decision No. 35174

Transportation of

Freight in both intrastate and interstate commerce,
over all of the following routes.

Between Grand Junction and the Colorado-Wyoming boundary line at a point where State highway 13 crosses same,

Between Grand Junction and a point on the Colorado-Utah boundary line where U.S. 40 crosses same,

And between Craig & Meeker and between all points on all of said routes,

Except that all freight, originating at Grand Junction and point between it and Meeker shall be carried to points north, east, or west of Meeker,

And all freight, carried to Grand Junction and points between it and Meeker shall originate at points north, east, or west of Meeker.

UNDER: Decision No. 6410

Transportation of

Freight in interstate commerce only between Denver and the Colorado-Utah state line, including intermediate points,

Over US 40 with detour by way of Gore Pass,

And between Denver and the Colorado-Wyoming state line and intermediate points, in interstate commerce, only,

Over US 40 Denver to Craig, with detour by way of Gore Pass.

And over highway 13 from Craig to state boundary line.

UNDER: Decision No. 7203

Transportation of

Both intrastate and interstate commerce, in irregular service, for the transportation of property within a radius of 50 miles of Greystone, Sunbeam, Maybell, Massadona, Caisson, Fortification, Great Divide, Hamilton and Axial, Colorado, over county and state roads

Excepting any service on Highway 13 south of Meeker, and Highway 40 east of Craig to the junction of Highway 40 and State Highway 14,

Also in intrastate service between Craig and points between the junction of Highway 40 and State Highway 14 and the Wyoming-Colorado line north of Walden, Colorado, on State Highways 125, & 127,

And in interstate traffic from Craig, via US 40, Colorado state highways 14, 125, and 127 to the Wyoming-Colorado state line,

And in interstate traffic from Craig, over county road via Great Divide to the Wyoming state line at Powder Wash,

And in interstate traffic from Craig, via US 40 to Sunbeam and county road, Sunbeam to Bridgeport, Utah, on the Colorado-Utah state line in Brown's Park and via the same route to the Wyoming-Colorado State line in the Hiawatha Oil Field north of Sparks;

No movement of freight will be conducted along the line of the Denver & Salt Lake Railway, subject to the right of Harp Brothers and Larson Transportation Company.

UNDER: Decision No. 12853

That in order to meet the public demand for a reasonably prompt thru service between Grand Junction and Meeker, without unreasonable delay in transit or at Rifle, suitable connection at Meeker should be made to insure expedited service from Grand Junction to points on its line in the Craig area.

UNDER: Decision No. 24879

Service between all points it is presently authorized to serve, on the one hand, and points on Colorado Highway 64, between, but not including Meeker, Colorado, and the point where Colorado Highway 64 intersects US Highway 40, near Wiley's Resort, on the other, without the right to transport commodities on schedule, in competition with any authorized line-haul service of Harp Brothers.

INTERSTATE AUTHORITY 7-2-52:

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.

UNDER: Decision No. 39171

EXTENDED TO:

Operate over an alternate route for operating convenience only in connection with present regular route operations between Denver, Colorado, and Blackhawk, Colorado, from the junction US 6 & US 40 located approximately 7½ miles west of the west city limits of Denver, Colorado;

Thence westerly via US 6 (Clear Creek Canon) to the junction of said US 6 with US 40 at the foot of Floyd Hill, being approximately 4.6 miles east of the junction of Colorado 103 and US 6 & 40 in Idaho Springs, Colorado.

UNDER: Decision No. 39291

EXTENDED TO:

Operation over an alternate route, for operating convenience, only, in connection with its present regular route operations between Grand Junction & Rangely, Colorado said alternate route being described as: from Grand Junction, Colorado, to Loma, Colorado, over US Highway 6-50; thence from Loma, Colorado, over Colorado Highway No. 139 to Rangely, Colorado, and return, serving no intermediate points except as otherwise authorized.

A letter of authority issued by the Commission is simply a digest or summary of Commission decisions granting operating authority. The Commission decisions are, of course, the best evidence of operating authority, and are controlling in the event of any discrepancy between such decisions and the letter of authority based thereon.

3. Harp Transportation Line, Inc., Transferee herein, is the present owner of Certificate of Public Convenience and Necessity PUC No. 152 and PUC No. 152-I, which Harp seeks to have amalgamated with PUC No. 717 and PUC No. 717-I, in the event of transfer, so as to provide through transportation between points authorized in PUC No. 717 and PUC No. 717-I and PUC No. 152 and PUC No. 152-I.

4. PUC No. 152 and PUC No. 152-I, as pertinent hereto, authorize the transportation of freight, on schedule, as follows:

(6) Between Denver, Colorado, and Rangely, Colorado, and the Rangely oil fields, and points intermediate between Rifle, Colorado, and Rangely, Colorado via U. S. Highways 6, 24, 13, and Colorado State Highway 64 in scheduled service.

(7) Between Craig and Meeker, Colorado, and intermediate points, via State Highway No. 13.

The letter of authority issued by the Commission relative to PUC No. 152 and PUC No. 152-I provides as follows:

Decision No. 69527:

(1) Transportation of express and freight between the Town of Rifle in Garfield County, Colorado, and the Town of Meeker, Rio Blanco County, Colorado, and intermediate and adjacent territory thereto.

(2) Transportation of freight to and from Grand Junction and Glenwood Springs, only, from and to points in Rio Blanco County, in truckloads of not less than 4,000 pounds.

(3) Transportation, not on schedule, of freight between points in Rio Blanco County, and between points in Rio Blanco County and all other points in the State of Colorado.

(4) Transportation of passengers, freight and express between Rifle and Meeker, Colorado.

(5) Transportation, in intrastate and interstate commerce, of commodities, generally, except household goods and heavy machinery requiring special equipment (but not excluding emigrant moveables) between points in Rio Blanco County, and from and to points in said County, to and from points in the State of Colorado,

without the right to furnish service under said certificate between towns on Colorado Highway No. 13, Rifle to Craig, both points inclusive,

and without the right to transport machinery, materials, equipment, supplies, and facilities used in or incidental to or in connection with the discovery, development, production, and preservation of natural gas and petroleum, including pipelines, storage facilities, refining plants, etc., from Craig to points in Rio Blanco County, said exception, however, not to apply to such commodities for water wells.

(6) Transportation of freight, on schedule, between Denver, Colorado, and Rangely, Colorado, and the Rangely Oil Fields, and points intermediate between Rifle, Colorado, and Rangely, Colorado via U.S. Highways 6, 24, 13, and Colorado State Highway 64 in scheduled service.

(7) Transportation of freight, on schedule, between Craig and Meeker, Colorado, and intermediate points, via State Highway No. 13.

(8) Authority granted to establish through rates and routes as follows:

(a) Craig to Grand Junction, Colorado, and points intermediate between Craig and Meeker, Colorado, and return;

(b) Craig to Meeker, Rangely, and the Rangely Oil Fields, and intermediate points via State Highways 13 and 64, and return;

(c) Craig to Rifle, Colorado, and return;

(d) Between Denver and Meeker, Rangely and Rangely Oil Fields and intermediate points, and return, in connection with Larson Transportation Company, and Denver and Rio Grande Western Railroad Company, and/or Railway Express Agency.

(9) Authorized to use an alternate route for operating convenience only, in connection with present regular route operations between Denver, Colorado and Meeker, Colorado, and Rangely, Colorado, said alternate route being described as:

Beginning at the junction of U.S. Highway No. 6 and U.S. Highway No. 40 located approximately 7½ miles west of the west city limits of Denver, Colorado; thence westerly via U.S. Highway No. 6 (Clear Creek Canyon) to the junction of said U.S. Highway No. 6 with U.S. Highway No. 40 at the foot of Floyd Hill, said point being approximately 4.6 miles east of the junction of Colorado State Highway No. 103 and U.S. Highway Nos. 6 and 40, in Idaho Springs, Colorado.

5. By the instant application, Ringsby Truck Lines, Inc., seeks authority from this Commission to transfer PUC No. 717 and PUC No. 717-I to Harp Transportation Line, Inc., and Harp Transportation Line, Inc., further seeks authority, contingent upon the said transfer to amalgamate (tack) PUC No. 717 and PUC No. 717-I with PUC No. 152 and PUC No. 152-I in such manner as to authorize through transportation service between all points served under PUC No. 717 and PUC No. 152. The Agreement of Sale reflects a reasonable purchase price of \$10,000. If the transfer should be approved, Harp intends to forthwith institute and provide service to the public under PUC No. 717 and PUC No. 717-I.

6. Harp Transportation Line, Inc., has been operating as a motor vehicle freight common carrier under the jurisdiction of this Commission for many years. The equipment presently being operated by Harp as such a carrier consists of 15 van trailers, 5 livestock trailers, 1 flat-bed trailer, 1 low-boy trailer, 10 pickups and trucks, and 8 tractors. As of December 31, 1970, Harp had total assets in excess of \$200,000 and total stockholder equity in the amount of \$29,629.09. During the calendar year of 1970, Harp sustained a net operating loss in the amount of \$4,232.50. Harp presently has terminals at Meeker, Rangely, and Grand Junction, and if the instant application be granted, plans to obtain an additional terminal in Craig. Harp Transportation Line, Inc., is completely fit and qualified

in all respects, including specifically such matters as financial responsibility and capability, experience, equipment, personnel and facilities, to render services to the public as a common carrier under PUC No. 717 and PUC No. 717-I.

7. Applicants' Exhibit No. 5 is a traffic study showing certain shipments transported by Ringsby between certain points in Colorado on selected days in 1969 and 1970. The study involves traffic handled under Certificate of Public Convenience and Necessity PUC No. 717, Permit No. A-329 and Permit No. A-347, and lists 251 shipments. The study covers one day a month for each of the months in the calendar year of 1969, and one day a month in seven of the months of 1970. From an analysis of the evidence, it would appear that approximately one shipment a day moved under PUC No. 717. Additional shipments moved in interstate commerce under PUC No. 717-I.

8. PUC No. 717 and PUC No. 717-I are in good standing before the Commission and have been continuously operated by the present holder, Ringsby Truck Lines, Inc.

9. The witness for Harp stated that there is no traffic now moving between Denver and Grand Junction by interline utilizing PUC No. 717 and PUC No. 152 and admitted specifically that at the present moment there is no freight moving by interline between the two firms (Ringsby and Harp) between Denver and Grand Junction. There is nothing in the record to indicate that any interline operations have ever taken place between Harp and Ringsby between Denver and Grand Junction.

10. Applicants presented no public witnesses and introduced no evidence concerning public need or public convenience and necessity relative to Denver-Grand Junction traffic.

11. With respect to Harp's proposed operations between Denver and Craig and points on U.S. Highway 40 between Craig and the Colorado-Utah state line, six public witnesses were presented for the purpose of

showing public convenience and necessity. Of the six witnesses, five either voiced no complaint with the existing carrier service or stated that they were now getting good service from Larson Transportation Company. The remaining shipper, Roger H. Walker, uses his own truck but would use the service of Harp on an emergency basis. Applicants produced no additional witnesses at the further hearing.

12. Applicants introduced no evidence or testimony at either the original or the further hearing with respect to the present or projected economic growth in the Craig or Grand Junction areas to suggest the possibility of additional traffic being available in the future.

13. Neither Harp nor Ringsby at the present time holds any authority from this Commission to conduct intrastate operations between Denver and Craig.

14. Rio Grande is a regular scheduled motor vehicle common carrier of general commodities operating in intrastate commerce pursuant to Certificate of Public Convenience and Necessity PUC No. 149. Rio Grande serves generally between Denver, Colorado Springs and Pueblo, on the one hand, and, on the other, western Colorado including all points from Climax through Leadville, and on U.S. Highway 6 between Dowd and Grand Junction, all points on U.S. Highway 50 west of Pueblo to Montrose, and from Colorado Springs through Canon City and thence via U.S. Highway 50 to Montrose and Grand Junction. Within the scope of the application, Rio Grande operates terminals at Denver, Colorado Springs, Pueblo, Leadville, Gunnison, Montrose, Glenwood Springs, Rifle, Delta, and Grand Junction. Rio Grande operates a total of 700 pieces of equipment comprised of the following: 87 line-haul tractors, 67 pickup tractors, 5 hostler tractors, 209 van trailers, 74 flatbed and open-top trailers, 13 reefer trailers, 13 low-boy trailers, 10 ore trailers, 13 converters, 2 pole trailers, 2 cement tankers, 7 straight trucks, 167 pickup trucks and 41 service units. With respect to transit time Rio Grande holds out to the shipping public overnight service between Denver and Grand Junction.

15. During the period of September 1970 Rio Grande transported approximately 11,000 shipments weighing over 7,300,000 pounds between various points involved in Application Nos. 24316-Transfer, 24317-PP-Transfer and 24318-PP-Transfer. During the period of March 1971, Rio Grande transported approximately 3,000 shipments resulting in revenues of approximately \$64,000.00 in the area involved in Application No. 24316-Transfer and specifically between Denver and Grand Junction and points intermediate between Rifle and Grand Junction. This traffic, now being handled by Rio Grande, could be diverted through the amalgamation of PUC No. 717 and PUC No. 152. With respect to additional common carriage competition between Denver and Grand Junction, it is Rio Grande's stated position and opinion that since there are now two common carriers between Denver and Grand Junction, the creation of a new service would dilute the traffic and it opposes a grant of the transfer and amalgamation.

16. Larson is a regular scheduled motor common carrier of general commodities operating in intrastate commerce pursuant to Certificate of Public Convenience and Necessity PUC No. 331 and PUC No. 331-I. Larson serves generally between Denver and Craig, within the scope of the application, and operates terminals at Denver, Craig and Steamboat Springs. Larson operates 24 pieces of equipment, comprised of 3 tractors, 5 van trailers, 3 flatbed trailers, 8 pickup trucks, 2 tractors, 1 snowplow and 2 service units. With respect to time in transit, Larson holds out to the shipping public to perform overnight service between Denver and Craig five days a week.

17. For the period of March 1971, Larson transported from Denver to Craig 1,040 shipments weighing a total of 389,711 pounds and returning a revenue to it of \$11,218.51. During the same period Larson transported from Craig to Denver 85 shipments weighing a total of 13,071 pounds and returning a revenue to Larson of \$458.07. This traffic would be subject to diversion in the event this application were granted and

amalgamation of PUC No. 717 and PUC No. 152 permitted. Larson trailers moving from Denver to Craig are not being utilized to capacity. Larson was experiencing a backhaul problem with the bulk of the traffic moving westbound and nothing coming back eastbound. Such situation hurts his company's profit picture and its revenue picture. The witness further testified that Larson can serve Craig from Denver without additional equipment and if there should be additional traffic moving to Craig, his company could take care of it. Larson does not believe it would be beneficial for it to have to divide up the existing traffic and opposes a grant of the application for all of the reasons stated by it and referred to herein.

18. Ephraim is a regular scheduled motor common carrier of general commodities operating in intrastate commerce pursuant to Certificate of Public Convenience and Necessity PUC No. 7946. Ephraim serves generally between Denver, Colorado Springs and Pueblo, on the one hand, and, on the other, points on the Western Slope including Grand Junction, Glenwood Springs, Rifle, Montrose, Delta, Gunnison and Leadville. Ephraim operates equipment and within the scope of the application maintains terminals at Denver, Grand Junction, Glenwood Springs, Rifle, Delta, Gunnison and Leadville. Ephraim operates daily five days a week from Denver to Grand Junction and with regard to transit time holds out to the shipping public overnight service. Ephraim has never experienced any competition from Harp or Ringsby in combination in common carriage operations between Denver and Grand Junction.

19. During the year 1970 Ephraim transported approximately 17,240,000 pounds of freight between Denver and Grand Junction, resulting in a revenue to that company of approximately \$448,703.

20. Ephraim opposes a grant of this application to the extent that amalgamation of PUC No. 717 and PUC No. 152 would permit operations by Harp between Denver and Grand Junction as a common carrier for the

reason that, in the opinion of the witness for Ephraim, such amalgamation represents a threat to its present flow of traffic.

21. Amalgamation of Certificate of Public Convenience and Necessity PUC No. 717 and PUC No. 717-I and Certificate of Public Convenience and Necessity PUC No. 152 and PUC No. 152-I would have the effect of authorizing an entirely new and competitive common carrier service between Denver and Grand Junction for which no public need was shown and for which no evidence of public convenience and necessity was introduced.

22. Amalgamation of Certificate of Public Convenience and Necessity PUC No. 717 and PUC No. 717-I and Certificate of Public Convenience and Necessity PUC No. 152 and PUC No. 152-I would have the effect of authorizing an entirely new and competitive common carrier service between Denver and Craig not shown to be required by the public convenience and necessity.

23. Rio Grande is adequately serving the public in the area sought to be served by Harp if the application is granted, including the territory between Denver and Grand Junction, and is ready, willing and able to provide whatever additional service may be needed in the future, as well as now.

24. Ephraim Freightways, Inc., is adequately serving the public between Denver and Grand Junction and is ready, willing and able to provide whatever additional service may be needed in the future, as well as now.

25. Larson Transportation Company is adequately serving the public between Denver and Craig and is ready, willing and able to provide whatever additional service may be needed in the future, as well as now.

CONCLUSIONS ON FINDINGS OF FACT

Based on the findings of fact, the Commission concludes that the transfer of Certificate of Public Convenience and Necessity PUC No.

717 and PUC No. 717-I from Ringsby Truck Lines, Inc., to Harp Transportation Line, Inc., will be consistent with the public interest and should be granted, but that the amalgamation of PUC No. 717 and PUC No. 717-I with PUC No. 152 and PUC No. 152-I would neither be in the public interest nor does public convenience and necessity so require, and that, therefore, the portion of the instant application seeking authority from the Commission to so amalgamate should be denied.

DISCUSSION

The Applicants established and proved a case for the transfer of PUC No. 717 and PUC No. 717-I. As to the amalgamation of such authorities with PUC No. 152 and PUC No. 152-I, the Applicants failed to so do. In the amalgamation or tacking of certificates, public convenience and necessity is in issue. This is particularly true when there is little or no past history of interlining between the two certificates, so that in fact a completely new service is involved. We point out that the denial of permission to amalgamate, consolidate, or tack in the instant proceeding, does not preclude the Transferee from filing in the future a further application to so do.

ORDER

THE COMMISSION ORDERS:

1. That Ringsby Truck Lines, Inc., a Nebraska corporation, 3201 Ringsby Court, Denver, Colorado, be, and hereby is, authorized to transfer all right, title and interest in and to Certificate of Public Convenience and Necessity PUC No. 717 and PUC No. 717-I to Harp Transportation Line, Inc., a Colorado corporation, doing business as "Harp Transportation Line."
2. That Harp Transportation Line, Inc., may not in any manner consolidate, amalgamate or tack Certificate of Public Convenience and Necessity PUC No. 717 and PUC No. 717-I with Certificate of Public

Convenience and Necessity PUC No. 152 and PUC No. 152-I, without specific authority from the Commission to so do.

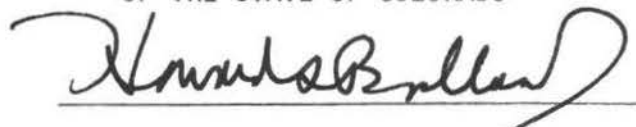
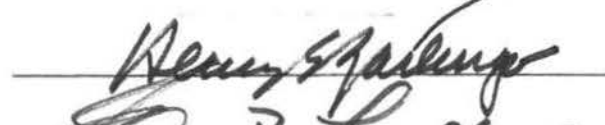

3. That said transfer shall become effective only if and when, but not before, said Transferor and Transferee, in writing, have advised the Commission that said Certificate has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements 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.

4. 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.

5. 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.

6. 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
23rd day of July, 1971.
vjr

ry

(Decision No. 78240)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION)
OF RINGSBY TRUCK LINES, INC., A)
NEBRASKA CORPORATION, 3201 RINGSBY)
COURT, DENVER, COLORADO, AND HARP)
TRANSPORTATION LINE, INC., A COLO-)
RADO CORPORATION, DOING BUSINESS)
AS "HARP TRANSPORTATION LINE,")
MEEKER, COLORADO, FOR AUTHORITY)
TO TRANSFER PERMIT NO. A-329 TO)
HARP TRANSPORTATION LINE, INC.,)
A COLORADO CORPORATION, DOING BUSI-)
NESS AS "HARP TRANSPORTATION LINE,")
MEEKER, COLORADO.)

APPLICATION NO. 24317-PP-Transfer

DECISION OF THE COMMISSION
AFTER FURTHER HEARING

IN THE MATTER OF THE APPLICATION)
OF RINGSBY TRUCK LINES, INC., A)
NEBRASKA CORPORATION, 3201 RINGSBY)
COURT, DENVER, COLORADO, AND HARP)
TRANSPORTATION LINE, INC., A COLO-)
RADO CORPORATION, DOING BUSINESS)
AS "HARP TRANSPORTATION LINE,")
MEEKER, COLORADO, FOR AUTHORITY)
TO TRANSFER PERMIT NO. A-347 TO)
HARP TRANSPORTATION LINE, INC., A)
COLORADO CORPORATION, DOING BUSI-)
NESS AS "HARP TRANSPORTATION LINE,")
MEEKER, COLORADO.)

APPLICATION NO. 24318-PP-Transfer

DECISION OF THE COMMISSION
AFTER FURTHER HEARING

July 23, 1971

Appearances: John H. Lewis, Esq.,
Denver, Colorado,
for Applicants;
Henry V. Elwood, Esq.,
Denver, Colorado,
for Applicants;
John F. Mueller, Esq.,
Denver, Colorado,
for Applicants;
Warren D. Braucher, Esq.,
Denver, Colorado, for
Rio Grande Motor Way, Inc.,
Protestant;
Dalton O. Ford,
Denver, Colorado, of the
Staff of the Commission.

PROCEDURE AND RECORD

On April 29, 1970, Ringsby Truck Lines, Inc., and Harp Transportation Line, Inc., hereinafter referred to by their full corporate names, as Ringsby, as Harp, or, collectively, as Applicants, filed the instant applications (No. 24317-PP-Transfer and No. 24318-PP-Transfer) with this Commission in the within matter for authority to transfer Contract Carrier Permits No. A-329 and No. A-347 from Ringsby Truck Lines, Inc., to Harp Transportation Line, Inc.

On May 20, 1970, Rio Grande Motor Way, Inc., hereinafter referred to by full corporate name or as Rio Grande, filed a protest to the said applications.

On September 14, 1970, Rio Grande filed an application for a subpoena duces tecum commanding the production of certain documents subject to the control of Donald W. Ringsby. On September 14, 1970, the Commission issued such subpoena.

The application was heard by Examiner Robert L. Pyle on a joint record with Application Nos. 24316-Transfer and 24318-PP-Transfer. Hearing was held at Denver, Colorado, on October 26, 1970, and at Craig, Colorado, on October 28, 1970. Eugene Hamilton (Traffic Manager of Ringsby) and Bern H. Harp (Manager and Secretary-Treasurer of Harp) were called at Denver and testified there as witnesses for Applicants. Wally Fletchinger (General Traffic Manager of Rio Grande) was called at Denver and testified there in opposition to the granting of the application. Roger H. Walker (owner of a motel and liquor store in Craig), Duane Dunnica (owner of a bar and cafe in Dinosaur), John Harding (a local distributor for Coors Beer in Craig), Don R. Showalter (Manager of Greeley Gas Company in Craig), Jim Snyder (an officer of Mountain Oil Distributing Company in Craig), Tom Parks (owner of an auto parts company in Craig), Delbert Findley (an officer of Craig Tire Mileage, Incorporated in Craig), Gerald Rohde (store manager of National Supply, Division of Armco Steel Corporation in Craig) and Floyd Reid (a local car dealer in

Craig) were called at Craig and testified there as witnesses for Applicants. Bern H. Harp was again called at Craig and gave additional testimony there. During the course of the hearing at Denver on October 26, 1970, the following exhibits were offered into evidence:

- Exhibit No. 1 - Applicants - Agreement of Sale for transfer of the authority.
- Exhibit No. 2 - Applicants - A map of the authority to be transferred.
- Exhibit No. 3 - Applicants - A copy of the customer list filed with the Commission for Contract Carrier Permit No. A-329.
- Exhibit No. 4 - Applicants - A copy of the customer list filed with the Commission for Contract Carrier Permit No. A-347.
- Exhibit No. 5 - Applicants - A traffic study showing certain shipments transported in intrastate commerce between certain points in Colorado on selected dates in 1969 and 1970.
- Exhibit No. 6 - Applicants - An extrapolation document prepared from Exhibit No. 5.
- Exhibit No. 7 - Applicants - A traffic study showing shipments transported in interstate commerce between certain points in Colorado on selected days.
- Exhibit No. 8 - Applicants - A certificate of public convenience and necessity issued by the Interstate Commerce Commission in Docket No. MC-52709, Sub No. 254.
- Exhibit No. 9 - Applicants - A certificate of public convenience and necessity issued by the Interstate Commerce Commission in Docket No. MC-52709, Sub No. 28.
- Exhibit No. 10 - Applicants - Authority sheet for Harp, for Certificate of Public Convenience and Necessity PUC No. 152 and PUC No. 152-I.
- Exhibit No. 11 - Applicants - Equipment list of Harp.
- Exhibit No. 12 - Applicants - Balance sheet of Harp as of December 31, 1969.
- Exhibit No. 13 - Protestant - System map of Rio Grande.

Exhibit No. 14 - Protestant - Equipment list of Rio Grande.

Exhibit No. 15 - Protestant - Terminal list of Rio Grande.

Exhibit No. 16 - Protestant - A traffic study for the period of September 1970 showing traffic transported by Rio Grande between points involved in the application.

Exhibits numbered 1, 2, 3, 4, 5, 6, 10, 11, 12, 13, 14, 15 and 16 were admitted into evidence. Exhibits numbered 7, 8 and 9 were rejected by the Examiner. At the request of counsel for Rio Grande, the Hearing Examiner took official notice of Certificate of Public Convenience and Necessity PUC No. 149 issued to Rio Grande Motor Way, Inc. (October 26, 1970, Transcript at page 79).

On November 27, 1970, the Hearing Examiner by Decision No. 76358 recommended a denial of Application No. 24318-PP-Transfer. On December 1, 1970, by Decision No. 76382, the Hearing Examiner recommended a denial of Application No. 24317-PP-Transfer.

On December 4, 1970, Applicants, by their attorney, John H. Lewis, filed with the Commission a petition requesting an extension of time to file exceptions to the Recommended Decisions of the Examiner until January 15, 1971, and by Decision No. 76427, dated December 11, 1970, the extension of time was granted. On January 7, 1971, Applicants filed a request for an extension of time beyond date of January 15, 1971, to file exceptions until twenty (20) days after the date the Recommended Decision and Order in Application No. 24316-Transfer be entered. On January 14, 1971, by Decision No. 76658, the extension of time requested by Applicants was granted up to and including February 4, 1971. On February 3, 1971, Applicants requested an additional extension of time to file exceptions and by Decision No. 76932, dated February 17, 1971, were granted an extension of time up to and including February 26, 1971.

On February 26, 1971, Applicants filed their exceptions to Recommended Decision of Robert L. Pyle, Examiner, in Decision No. 76382

in Application No. 24317-PP-Transfer and to Recommended Decision of Robert L. Pyle, Examiner, in Decision No. 76358 in Application No. 24318-PP-Transfer.

On March 15, 1971, by Decision No. 77153, the Commission found that a further hearing was necessary in order for the Commission to enter its Decision and Order and set for further hearing, on a joint record, Application Nos. 24316-Transfer, 24317-PP-Transfer and 24318-PP-Transfer, at Denver, Colorado, on April 20, 1971.

Further hearing was held on April 20, 1971, at Denver, Colorado, before Commission Chairman Howard S. Bjelland and Commissioner Edwin R. Lundborg. Bern H. Harp (Manager and Secretary-Treasurer of Harp) and Wayne E. Lucore (Vice President of Traffic for Ringsby) were called at the further hearing and testified there as witnesses for Applicants. Wally Fletchinger (General Traffic Manager for Rio Grande Motor Way, Inc.) was called at the further hearing and testified there in opposition to the granting of the application. During the course of the further hearing, the following exhibits were offered and admitted into evidence:

- Exhibit No. 17 - Applicants - Financial statement of Harp for the year ending December 31, 1970.
- Exhibit No. 18 - Protestants - A traffic study for the period of March 1971 showing traffic transported by Rio Grande in the territory involved in the application.
- Exhibit No. 19 - Protestants - A traffic study for the period of March 1971 showing traffic transported by Rio Grande between Denver, on the one hand, and, on the other, Grand Junction and points intermediate between Rifle and Grand Junction, Colorado.
- Exhibit No. 20 - Protestants - Authority sheet for Larson Transportation Company for Certificate of Public Convenience and Necessity PUC No. 331 and PUC No. 331-I.

- Exhibit No. 21 - Protestants - System map of Larson.
- Exhibit No. 22 - Protestants - Equipment list of Larson.
- Exhibit No. 23 - Protestants - Terminal list of Larson.
- Exhibit No. 24 - Protestants - A traffic study for the period of March 1971 showing traffic transported by Larson between Denver and Craig, Colorado.

Upon conclusion of the taking of further evidence, the Chairman directed the filing of briefs and proposed decisions. The briefing process was completed on June 7, 1971, and the matter is now ready for determination.

115-6-9 (2), 1963 CRS, as amended, provides in part:

"The commission, upon its own motion may, and where exceptions are filed it shall, reconsider the matter, either upon the same record or after further hearings, and such recommended decision shall thereupon be stayed or postponed pending final determination thereof by the commission. The commission may adopt, reject, or modify the findings of fact and conclusions of such individual commissioners or examiners, or, after examination of the record of any such proceeding, enter its decision and order therein without regard to the findings of fact and conclusions of any individual commissioner or examiner."

The Commission, pursuant to the above-cited statutory authorization, has examined the record of the instant proceeding and after further hearing has determined to enter its Decision and Order herein without regard to the findings of fact and conclusions of the Hearing Examiner as contained in Recommended Decisions No. 76358 and No. 76382.

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. Ringsby Truck Lines, Inc., Transferor herein, is the present owner of Contract Carrier Permit No. A-329, which is the subject of Application No. 24317-PP-Transfer, and Contract Carrier Permit No. A-347, which is the subject of Application No. 24318-PP-Transfer.

2. Permit Nos. A-329 and A-347 are essentially interrelated, A-329 being an alternate route for use in conjunction with operations under A-347. The letter of authority issued by the Commission relative to Permit No. A-347 provides as follows:

UNDER: Decision No. 11822

Transportation of

freight

between Denver, Colorado Springs, and Pueblo, and Hartzel, Buena Vista, Leadville, Red Cliff, Gilman, Minturn, Eagle, Gypsum, Glenwood Springs, Rifle, and Grand Junction over U.S. 85 and 24 and Delta, Olathe, Montrose and Gunnison over U.S. 85, 24, and 50, operations herein shall not be combined, directly or indirectly with operations under Cert. 805 or Permit A-12.

Transferred from A-329 and arbitrarily consolidated herewith:

Rifle to Grand Junction and intermediate points;
Rifle to Denver and intermediate points.

Decision No. 39170: EXTENDED TO:

Operate over an alternate route for operating convenience, only, in connection with present regular route operations between Denver, Colorado, and Blackhawk, Colorado, from the junction of U.S. 6 & U.S. 40 located approximately $7\frac{1}{2}$ miles west of the west City Limits of Denver, Colorado; thence westerly via U.S. 6 (Clear Creek Canon) to the junction of U.S. 6 with U.S. 40 at the foot of Floyd Hill, being approximately 4.6 miles east of the junction of Colorado 103 & U.S. 6 & 40 in Idaho Springs, Colorado.

The letter of authority issued by the Commission relative to Permit No. A-329 provides as follows:

UNDER: Decision No. 39172 EXTENDED TO:

Operate over an alternate route for operating convenience only in connection with present regular route operations between Denver, Colorado, and Blackhawk, Colorado, from the junction of U.S. 6 and U.S. 40, located approximately $7\frac{1}{2}$ miles west of the west city limits of Denver, Colorado; thence westerly via U.S. 6 (Clear Creek Canon) to the junction of said U.S. 6 with U.S. 40 at the foot of Floyd Hill, being approximately 4.6 miles east of the junction of Colorado 103 and U.S. 6 and 40 in Idaho Springs, Colorado.

These letters of authority are simply summaries or digests of Commission decisions, and, of course, the decisions themselves are the best evidence as to the actual operating rights under any permit. The authorities together authorize contract carrier operations generally between Denver, Colorado Springs and Pueblo, on the one hand, and, on the other, Grand Junction.

3. Harp Transportation Line, Inc., Transferee herein, is the present owner of Certificate of Public Convenience and Necessity PUC No. 152 and PUC No. 152-I. The letter of authority issued by the Commission relative to PUC No. 152 and PUC No. 152-I provides as follows:

Decision No. 69527:

- (1) Transportation of express and freight between the Town of Rifle in Garfield County, Colorado, and the Town of Meeker, Rio Blanco County, Colorado, and intermediate and adjacent territory thereto.
- (2) Transportation of freight to and from Grand Junction and Glenwood Springs, only, from and to points in Rio Blanco County, in truckloads of not less than 4,000 pounds.
- (3) Transportation, not on schedule, of freight between points in Rio Blanco County, and between points in Rio Blanco County and all other points in the State of Colorado.
- (4) Transportation of passengers, freight and express between Rifle and Meeker, Colorado.
- (5) Transportation, in intrastate and interstate commerce, of commodities, generally, except household goods and heavy machinery requiring special equipment (but not excluding emigrant moveables) between points in Rio Blanco County, and from and to points in said County, to and from points in the State of Colorado,

without the right to furnish service under said certificate between towns on Colorado Highway No. 13, Rifle to Craig, both points inclusive,

and without the right to transport machinery, materials, equipment, supplies, facilities used in or incidental to or in connection with the discovery, development, production, and preservation of natural gas and petroleum, including pipelines, storage facilities, refining plants, etc., from Craig to points in Rio Blanco County, said exception, however, not to apply to such commodities for water wells.

(6) Transportation of freight, on schedule, between Denver, Colorado; and Rangely, Colorado, and the Rangely Oil Fields, and points intermediate between Rifle, Colorado, and Rangely, Colorado via U.S. Highways 6, 24, 13, and Colorado State Highway 64 in scheduled service.

(7) Transportation of freight, on schedule, between Craig and Meeker, Colorado, and intermediate points, via State Highway No. 13.

(8) Authority granted to establish through rates and routes as follows:

(a) Craig to Grand Junction, Colorado, and points intermediate between Craig and Meeker, Colorado, and return;

(b) Craig to Meeker, Rangely, and the Rangely Oil Fields, and intermediate points via State Highways 13 and 64, and return;

(c) Craig to Rifle, Colorado, and return;

(d) Between Denver and Meeker, Rangely and Rangely Oil Fields and intermediate points, and return, in connection with Larson Transportation Company, and Denver and Rio Grande Western Railroad Company, and/or Railway Express Agency.

(9) Authorized to use an alternate route for operating convenience only, in connection with present regular route operations between Denver, Colorado and Meeker, Colorado, and Rangely, Colorado, said alternate route being described as:

Beginning at the junction of U.S. Highway No. 6 and U.S. Highway No. 40 located approximately $7\frac{1}{2}$ miles west of the west city limits of Denver, Colorado; thence westerly via U.S. Highway No. 6 (Clear Creek Canyon) to the junction of said U.S. Highway No. 6 with U.S. Highway No. 40 at the foot of Floyd Hill, said point being approximately 4.6 miles east of the junction of Colorado State Highway No. 103 and U.S. Highway Nos. 6 and 40, in Idaho Springs, Colorado.

Harp Transportation Line, Inc., has been operating as a motor vehicle freight common carrier under the jurisdiction of this Commission for many years. The equipment presently being operated by Harp as such a carrier consists of 15 van trailers, 5 livestock trailers, 1 flatbed trailer, 1 low-boy trailer, 10 pickups and trucks, and 8 tractors. As of December 31, 1970, Harp had total assets in excess of \$200,000 and total stockholder equity in the amount of \$29,629.09. During the calendar year of 1970, Harp sustained a net operating loss in the amount of \$4,232.50. Harp presently has terminals at Meeker, Rangely and Grand Junction. Harp Transportation Line, Inc., is completely fit and qualified

in all respects, including specifically such matters as financial responsibility and capability, experience, equipment, personnel and facilities, to render service to the public as a contract carrier under Permit No. A-347 and Permit No. A-329.

4. By the instant application (No. 24317 and No. 24318), Ringsby and Harp seek authorization from this Commission for Ringsby Truck Lines, Inc., to transfer Permit No. A-347 and Permit No. A-329 to Harp Transportation Line, Inc. The Agreement of Sale for the authorities sought to be transferred (Exhibit No. 1) reflects a total purchase price of \$50,000.00 for Permit Nos. A-329 and A-347.

5. Operations between Pueblo and Colorado Springs, on the one hand, and, on the other, Grand Junction are not now being conducted by Ringsby and have not been since about 1960. At that time Ringsby kept the operation going for about two months and gave it up. Applicants' Exhibit 5 shows one shipment from Colorado Springs to Grand Junction; however, the witness for Ringsby testified that this was handled in interline movement and was an error and should not have been handled by it.

6. In its operations under Permit Nos. A-329 and A-347 between Denver and Grand Junction, Ringsby has transported a wide range of commodities in shipments weighing from 7 pounds to 41,000 pounds.

7. The equipment used in Ringsby's contract carrier operations appears to be of the same general type as that used by common carriers.

8. Ringsby's present customer lists include approximately 685 shippers or receivers of freight.

9. Ringsby considers the bill of lading to be a proper contract in compliance with the Commission's Regulations Governing Contract Carriers. It has no contract other than the bill of lading with the shippers listed on its customer lists.

10. Ringsby has terminals in Colorado at Denver, Grand Junction and Craig.

11. Harp proposes to operate Permit Nos. A-329 and A-347 in more or less the same manner and similar to the operations shown to have been conducted by Ringsby in the past. Harp intends no basic change in the operation from the way such operations have been conducted by Ringsby and in fact expects to generate considerably more traffic than that handled by Ringsby.

12. Harp has looked at the customer lists filed with the Commission for Permit Nos. A-329 and A-347 and would propose to serve all of the customers shown, plus any more it could obtain, primarily in order to enable it to pay for the authorities. Harp will attempt to generate more customers and will exert all efforts to solicit every bit of traffic that it could possibly obtain.

13. Harp intends to transport every type of commodity that is authorized under the description of general commodities. The general commodity description contained in Permit Nos. A-329 and A-347 is interpreted by Harp to include practically any freight the same as presently being transported by Harp under its Certificate of Public Convenience and Necessity PUC No. 152.

14. Harp proposes to serve the same type of shippers under the contract carrier permits as those served by it under its Certificate of Public Convenience and Necessity PUC No. 152 and proposes to serve anybody who calls upon it for service.

15. If the application is granted, Harp intends to perform the same type of service between Denver, Pueblo and Colorado Springs, on the one hand, and, on the other, Grand Junction as it is now rendering in PUC No. 152. Harp understands that portion of the authority it is purchasing is a contract carrier authority.

16. With respect to customer contracts, except for the bill of lading, Harp has no present plans to enter into contracts, oral or written, with shippers or customers.

17. Rio Grande is a regular scheduled motor common carrier of general commodities operating in intrastate commerce pursuant to Certificate of Public Convenience and Necessity PUC No. 149. Rio Grande serves generally between Denver, Colorado Springs and Pueblo, on the one hand, and, on the other, western Colorado including all points from Climax through Leadville, and on U.S. Highway 6 between Dowd and Grand Junction, all points on U.S. Highway 50 west of Pueblo to Montrose, and from Colorado Springs through Canon City and thence via U.S. Highway 50 to Montrose and Grand Junction. Within the scope of the application, Rio Grande operates terminals at Denver, Colorado Springs, Pueblo, Leadville, Gunnison, Montrose, Glenwood Springs, Rifle, Delta and Grand Junction. Rio Grande operates a total of 700 pieces of equipment comprised of the following: 87 line-haul tractors, 67 pickup tractors, 5 hostler tractors, 209 van trailers, 74 flatbed and open-top trailers, 13 reefer trailers, 13 low-boy trailers, 10 ore trailers, 13 converters, 2 pole trailers, 2 cement tankers, 7 straight trucks, 167 pickup trucks and 41 service units. With respect to transit time Rio Grande holds out to the shipping public overnight service between Denver and Grand Junction.

18. During the period of September 1970 Rio Grande transported approximately 11,000 shipments weighing over 7,300,000 pounds between various points involved in Application Nos. 24316-Transfer, 24317-PP-Transfer and 24318-PP-Transfer. During the period of March 1971, Rio Grande transported approximately 10,000 shipments resulting in revenues of approximately \$142,000.00 in the territory covered by Permit No. A-347.

19. Rio Grande has experienced no competition from Ringsby between Colorado Springs and Pueblo, on the one hand, and, on the other, Western Slope points, and, specifically, points on U.S. Highways 24 and 50. The only competition of which the Rio Grande witness was aware from or to Denver was with respect to Grand Junction and, according to the witness, that had been at a very minimum.

20. Rio Grande is adequately serving the public in the area sought to be served by Harp if the application is granted, including the territory between Denver and Grand Junction, and is ready, willing and able to provide whatever additional service may be needed in the future, as well as now.

21. Ringsby has not in the past continuously operated either Contract Carrier Permit No. A-329 or Contract Carrier Permit No. A-347 between Pueblo or Colorado Springs, on the one hand, and, on the other, Grand Junction, and a transfer thereof would be tantamount to the granting of a new permit.

22. The operation of Ringsby under Contract Carrier Permits No. A-329 and A-347 between Denver and Grand Junction has all the characteristics of common carrier service, and Ringsby has provided the equivalent of a common carrier motor freight transportation service under such permit. Harp intends to operate in the same manner, and, in addition, intends to serve the entire general public, by providing service to anyone who requests service. Harp intends to operate as a common carrier under a contract carrier permit.

23. Harp Transportation Line, Inc., has failed to establish that the transportation services which it seeks authority from this Commission to perform under Permit No. A-329 and A-347 are within the definition of contract carrier by motor vehicle as defined in 1963 CRS 115-11-1.

Based on the findings of fact, the Commission concludes that the transfer of Contract Carrier Permits No. A-329 and No. A-347 from Ringsby Truck Lines, Inc., to Harp Transportation Line, Inc., would be contrary to the public interest and that Applications No. 24317 and No. 24318 should be denied.

DISCUSSION

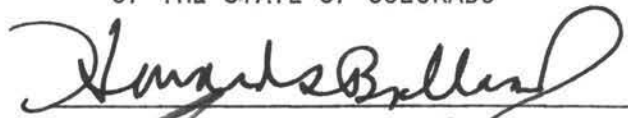

The elements of proof in an application for contract carrier authority have been rather thoroughly discussed by the Commission in Decision No. 76181, by an Examiner of the Commission in Decision No. 76151, and by the Colorado Supreme Court in several decisions, including, specifically, 151 Colo. 76. In the instant proceeding, it was incumbent upon the Transferee to establish that the transportation service sought to be performed by it under the Permits to be transferred is within the definition of "contract carrier by motor vehicle," as defined in 1963 CRS 115-11-1. Transferee failed to so do.

ORDER

THE COMMISSION ORDERS:

1. That Application No. 24317-PP-Transfer and Application No. 24318-PP-Transfer be, and hereby are, denied.
2. That this Order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

COMMISSIONER HENRY E. ZARLENGO
SPECIALLY PARTICIPATING.

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

vjr

COMMISSIONER HENRY E. ZARLENGO SPECIALLY PARTICIPATING:

It is my opinion that a contract carrier may have as many customers as he wishes without limit, provided, however, that he serves such customers under and by virtue of a contract and otherwise complies with the laws. It further appears Transferee states it intends to carry on the operations as were carried on by the Transferors; i.e., only under and by virtue of a bill of lading. The question then is -- Is a bill of lading by itself "a contract" as contemplated by the law? A finding should be made as to whether or not a bill of lading under the circumstances constitutes such contract. If it does not, then the Transferee is stating that it intends to operate in an illegal manner. If, however, a bill of lading is a contract as so contemplated, there would be no reason to deny the application.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioner

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

(Decision No. 78241)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	APPLICATION NO. 24451-Extension
WESTWAY MOTOR FREIGHT, INC., 5231)	
MONROE STREET, DENVER, COLORADO, FOR)	RECOMMENDED DECISION OF
AN EXTENSION OF OPERATING RIGHTS)	CHRISTIAN O. IGENBERGS, EXAMINER
UNDER PUC NO. 701.)	
	GRANTING EXTENSION UNDER PUC NO. 701

July 23, 1971

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

PROCEDURE AND RECORD

On the date of July 16, 1970, Applicant, Westway Motor Freight, Inc., hereinafter also referred to as "Westway" or "Applicant", filed the above-entitled application with this Commission for authority to extend operations as a common carrier by motor vehicle for hire as more specifically set forth in said application.

The Commission assigned Docket No. 24451-Extension to the application and gave due notice of the filing in accordance with the provisions of 115-6-8 (2), CRS 1963, as amended.

Protests to the granting of the aforesaid request for extended authority were received by the Commission on August 13, 1970, from the following carriers: Denver-Laramie-Walden Truck Line, Inc.; Denver-Loveland Transportation, Inc.; and Overland Motor Express, Inc., doing business as Boulder-Denver Truck Line.

Pursuant to law, the Commission assigned the application to Christian O. Igenbergs, Examiner, for the purpose of conducting a hearing 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, Tuesday, November 24, 1970, at 10 a.m. With consent of the respective parties and their counsel, the aforesaid hearing date was vacated and the within matter reset for hearing on Thursday, January 28, 1971, at 10 a.m. at the same place. The hearing was held at the aforesaid time and place.

Prior to the hearing, Applicant submitted an amendment which reads as follows, to-wit:

"Applicant seeks authorization to join together for purposes of providing a through service that authority obtained by it under PUC Decision No. 75331 with the following authority presently held by Applicant.

- (a) Between Denver, Colorado, and Golden, Colorado, and all intermediate points.
- (b) From and to all points within a radius of fifteen (15) miles of Golden, Colorado, including Golden, Colorado, excluding however any points located in Boulder County, Colorado."

The amendment being restrictive in nature was granted by the Examiner, whereupon all protests were withdrawn.

Exhibits numbered 1, 2, 3, 4, 5, and 6 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, and it is a wholly owned subsidiary of NW Transport Service, Inc., a Colorado corporation.

2. Applicant presently holds authority from this Commission under Certificates of Public Convenience and Necessity PUC No. 701, PUC No. 701-I, PUC No. 3407 and PUC No. 7796. Certificate of Public Convenience and Necessity PUC No. 3407 has no bearing on the within application. Certificate of Public Convenience and Necessity PUC No. 7796 was granted by this Commission as a result of Decision No. 75331, and it reads as follows, to wit:

"Transportation - on schedule - of

General commodities -- except commodities in bulk in tank vehicles and household goods --

Between Denver, Colorado, and Cortez, Colorado, serving the intermediate point of Durango, Colorado, restricted against any service between Cortez and Durango, Colorado;

From Denver, Colorado, over U.S. Highway 285 to junction with Colorado Highway 112 near Center, Colorado, thence via Colorado Highway 112 to junction with U.S. Highway 160 at Del Norte, Colorado, thence west on U.S. Highway 160 to Cortez, Colorado, and return over the same route;

Alternate route for operating convenience only,

From Denver, Colorado, over U.S. Highway 85-87 or Interstate Highway 25 to junction U.S. Highway 160 at Walsenburg, Colorado, thence west over U.S. Highway 160 to Cortez, Colorado, and return over the same route.

Restriction: This certificate is restricted to the transportation of traffic having both an origin and a destination at the points of Denver, Durango and Cortez, Colorado provided, however, that Westway Motor Freight, Inc. may interline traffic with Northeastern Motor Freight, Inc. and Goldstein Transportation and Storage, Inc. to or from all points served by those carriers in regular route service, except Colorado Springs and Pueblo, Colorado."

Certificate of Public Convenience and Necessity PUC No. 701 reads in the part pertinent to this hearing as follows, to-wit:

"Transportation of freight and express, as follows:

1. Between Denver, Colorado and Golden, Colorado, and all intermediate points.
2. From and to all points within a radius of fifteen (15) miles of Golden, Colorado, including Golden, Colorado."
3. Applicant actively operates under all authorities granted to it, and all authorities are in good standing with this Commission.
4. By this amended application, Applicant herein seeks the following authority as an extension to the existing authority granted by this Commission:

"Authorization to join together for purposes of providing a through service that authority obtained by it under PUC Decision No. 75331 with the following authority presently held by Applicant.

- (a) Between Denver, Colorado, and Golden, Colorado, and all intermediate points.
- (b) From and to all points within a radius of fifteen (15) miles of Golden, Colorado, including Golden, Colorado, excluding, however, any points located in Boulder County, Colorado."
5. This Commission has jurisdiction over Applicant and the subject matter of this proceeding.
6. The authorities granted by this Commission and held by NW Transport Service, Inc., and its subsidiaries, including Applicant here, were subject to proceedings before this Commission in June and July of 1970, and the former contract carrier authorities were generally converted into common carrier authorities by Decision No. 75331 dated July 8, 1970. Through inadvertence, the tacking of Applicant's Certificates of Public Convenience and Necessity PUC No. 701 and PUC No. 7796 (generally to and from the Golden, Colorado, areas through the Denver terminal to Durango and Cortez, Colorado)

was omitted from the proceedings which resulted in Decision No. 75331. Applicant holds regular route authorization to serve between Golden and Denver, Colorado, as well as authority to serve between Denver and Cortez, serving the intermediate point of Durango, Colorado, restricted against any service between Cortez and Durango, Colorado. The Golden, Colorado, and Durango and Cortez, Colorado, areas are experiencing a growth in population and an influx of new businesses, some of which ship to and from the aforesaid locales interchangeably. Applicant presently hauls 1000 to 1500 pounds of freight per week between the two terminals via Denver.

7. The extension applied for herein is compatible with and does not conflict with nor duplicate the authorities held by Applicant.

8. Applicant owns or leases 21 line-haul tractors, 178 trailers and a sufficient number of ancillary equipment (Exhibit No. 4 - equipment list of Westway), which said equipment is suitable and sufficient for the operations proposed in the request for extended authority.

9. Applicant has been in operation as a contract carrier and later as a common carrier by motor vehicle for hire for many years and for this reason has sufficient experience in the motor carrier field.

10. Applicant has a net worth of approximately \$137,000 (Exhibit No. 5 - balance sheet of Applicant), which said sum is ample and sufficient for the operation of the extended authority.

11. Applicant has established by competent evidence that 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, promises to abide by said rules and regulations, as well as the safety requirements of the Commission. Further, Applicant has or will make adequate provision for insurance.

12. The application is not protested by any other common carrier by motor vehicle for hire.

13. There is a present and special need for the proposed service.

14. The present or future public convenience and necessity requires or will require the granting of the extension of the authority as hereinafter set forth.

15. The granting of the extension 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 Westway Motor Freight, Inc., 5231 Monroe Street, Denver, Colorado, be, and hereby is, authorized to extend operations under Certificate of Public Convenience and Necessity PUC No. 701 and PUC No. 701-I as follows to-wit: the portion of Commission Decision No. 43613 providing

"Transportation of

Freight and express as follows:

- (1) Between Denver, Colorado, and Golden, Colorado, and all intermediate points; and
- (2) From and to all points within a radius of fifteen (15) miles of Golden, Colorado, including Golden, Colorado, excluding however any points located in Boulder County, Colorado,"

is authorized to be combined with the authority granted Applicant herein by Commission Decision No. 75331 and known as Certificate of Public Convenience and Necessity PUC No. 7796 so as to permit the rendition of transportation service to and from any and all points authorized to be served under the common carrier authority hereinabove set forth.

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 its carrier system in accordance with this Order, except when prevented by an Act of God, the public enemy or extreme conditions.

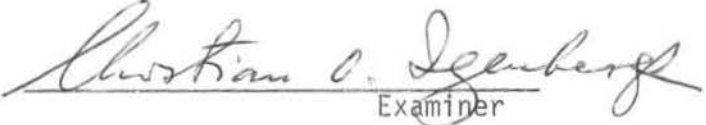
4. That this Order is subject to compliance by Applicant with all present and future laws and rules and regulations of the Commission.

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
js

(Decision No. 78242)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	APPLICATION NO. 24481-PP-Extension
CHARLES CALIGARIS, JR., 1645 CHESTNUT)	
STREET, CANON CITY, COLORADO, FOR)	RECOMMENDED DECISION OF
AUTHORITY TO EXTEND OPERATIONS UNDER)	CHRISTIAN O. IGENBERGS,
PERMIT NO. B-6901.)	EXAMINER

GRANTING IN PART AND DENYING IN PART

- - - - -
July 23, 1971
- - - - -

Appearances: John J. Conway, Esq., Denver, Colorado,
for Applicant;
David E. Driggers and
Thomas J. Burke, Esqs., Denver, Colorado,
for Rio Grande Motor Way, Inc.,
Westway Motor Freight, Inc.,
Goldstein Transportation & Storage, Inc.,
and Salida-Canon Trucking, Inc., doing
business as "Central Colorado Trucking
Company," Protestants.

PROCEDURE AND RECORD

Under date of July 31, 1970, Applicant (hereinafter referred to as Applicant or Mr. Caligaris) filed the above-entitled application with this Commission for authority to extend operations as a contract carrier by motor vehicle for hire as specifically set forth in said application.

The Commission assigned Docket No. 24481-PP-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.

The following protests were received subsequent to the filing of the application: on August 10, 1970, a protest of Rio Grande Motor Way, Inc. (hereinafter referred to as Motor Way), and on August 20, 1970, the protests of Westway Motor Freight, Inc. (hereinafter referred to as Westway); Goldstein Transportation and Storage, Inc.; and Salida-Canon Trucking, Inc., doing business as "Central Colorado Trucking Company."

Pursuant to law, the Commission assigned the application to Christian O. Igenbergs, Examiner, for the purpose of conducting a hearing 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 Council Chambers, City Hall, Pueblo, Colorado, on Monday, December 14, 1970, at 10 a.m. With the consent of all the parties and their counsel, the aforesaid hearing date was vacated and reset for hearing at the same place on Monday, March 22, 1971, at 10 a.m. The hearing was held at the said time and place and continued for hearing at the hearing room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, on Friday, May 7, 1971, at 10 a.m. The hearing was concluded on the aforesaid date.

Exhibits numbered 1 through 10, inclusive, and 12 were tendered and admitted into evidence. Exhibit No. 11 was rejected.

Official notice was taken by the Examiner of 13-5-124 and 13-5-125, CRS 1963, as amended.

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 Charles Caligaris, Jr., a resident of Canon City, Colorado.
2. Applicant presently holds previously granted authority from this Commission under Permit Nos. B-6901 and M-569, and Certificate of Public Convenience and Necessity PUC No. 5896-I. Permit No. M-569 and Certificate of Public Convenience and Necessity PUC No. 5896-I have no bearing on the herein application for extended authority. Permit No. B-6901, at the present reads 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 sixty (60) 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 sixty (60) 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 sixty (60) miles of said jobs;

- (4) Insulrock

From pits and supply points in the State of Colorado to roofing jobs within a radius of sixty (60) miles of said pits and supply points;

RESTRICTION: Items Nos. 1, 2, 3, and 4 of this Permit are restricted against the use of tank vehicles when transporting road-surfacing materials.

- (5) Coal

From mines in Fremont County to Southern Colorado Power Plants at Canon City and Pueblo, Colorado.

- (6) Coal

From the Twin Pines Coal Company located near Rockvale, Colorado, to the Walsenburg Utilities, Walsenburg, Colorado.

RESTRICTION: Item No. 6 is restricted to rendering transportation service for only the Twin Pines Coal Company."

3. By this application Applicant seeks to extend said authority to include the following:

"Transportation of

- (1) Beer

From the Adolph Coors Co. at Golden, Colorado, to warehouses of the J & F Sales Company in Florence, Colorado, and Salida, Colorado, for one customer only, J & F Sales Company.

(2) Coal

From all points within the State of Colorado to all points within the Counties of Fremont and Pueblo, State of Colorado.

(3) Peat moss

From all points within the Counties of Lake and Teller, State of Colorado, to all points within the Counties of Fremont and Pueblo, State of Colorado.

(4) Rock and stone, sacked and in bulk

From the Texas Creek Native Stone Company, Texas Creek, Colorado, to all points within the State of Colorado, for one customer only, Texas Creek Native Stone Company."

4. Protestants are common carriers by motor vehicle for hire and they hold the following authorities granted by this Commission.

Westway Motor Freight, Inc., Certificates of Public Convenience and Necessity PUC No. 701 and PUC No. 701-I. The part of the authority that is in conflict with the requested extension by the Applicant reads as follows, to wit:

"Transportation of freight and express as follows

- (2) From and to all points within a radius of fifteen (15) miles of Golden, Colorado, including Golden, Colorado.
- (3) From and to all points within said radius to and from all points in the State of Colorado; provided, however, that all shipments shall originate or terminate west of the west boundary of the City and County of Denver, Colorado."

Rio Grande Motor Way, Inc., Certificates of Public Convenience and Necessity PUC No. 149 and PUC No. 149-I. The part of the authority that is in conflict with the requested extension by Applicant reads as follows, to wit:

I. Transportation -- on schedule -- of
General commodities

- (2) Between Denver, Colorado, and the Colorado-Utah State Line: From Denver over Interstate Highway 25 to Pueblo, thence over U.S. Highway 50 to the Colorado-Utah State Line and return over the same route, serving all intermediate points on

U.S. Highway 50 west of Pueblo, with authority to serve between Pueblo and all points on U.S. Highway 50 between Pueblo and the Colorado-Utah State Line and serving the following off-route and intermediate points:

- (a) All intermediate points between the junction of U.S. Highway 50 and Colorado Highway 120 and Canon City, Colorado, on Colorado Highways 120 and 115, and the off-route points of Wetmore, Rockvale, Coal Creek and Royal Gorge, Colorado.

II. Transportation -- on call and demand -- of

General commodities

- (4) Between all points within Canon City, Colorado, and a thirty-five (35) mile radius thereof.

RESTRICTION: Item (4) restricted against the establishment of an agency for the purpose of developing business anywhere except Canon City, Colorado.

- (13) Between all points in the Counties of La Plata and Montezuma, State of Colorado, and for occasional service throughout the State of Colorado, and in each of the Counties thereof.

5. The Commission has jurisdiction over the Applicant, the Protestants, and the subject matter of this proceeding.

6. The extension applied for herein is compatible with and does not conflict with or duplicate the authority held by Applicant.

7. The four requests for the extension of the authority will be treated here separately.

- (a) The first request is for authority to transport beer from the brewery of the Adolph Coors Co. at Golden, Colorado, to Florence, Colorado, and Salida, Colorado, for one customer only; namely, the J & F Sales Company.

The evidence of record shows that Applicant owns one Fruehauf reefer trailer, which is suitable for the proposed operations and which Applicant would dedicate to them (Exhibit No. 2, Equipment List of Applicant). Protestants likewise have suitable equipment for the transportation of beer from Golden to Florence and Salida (Exhibit No. 6). Both Protestants have transported beer for the J & F Sales Company from Golden in the past and Westway is currently transporting such beer.

According to the evidence of record in this case, Westway is deriving approximately 20 percent of its net profit from this operation. In fact, both Protestants are ready, willing, and able to transport beer from the Adolph Coors Co. at Golden, Colorado, to the warehouses of the J & F Sales Company, both in Florence and Salida, Colorado. The granting of the requested authority to Applicant for the hauling of beer would simply add another contract carrier in direct competition with the two aforesaid Protestants. Applicant's equipment is the same, and the proposed service is, in fact, identical to the services offered by Westway and Motor Way. Through the testimony of the manager of the J & F Sales Company, Applicant attempted to show at the hearing that his proposed services would be specialized or tailored to the needs of the J & F Sales Company. The evidence of record discloses, however, that this witness merely trusts Applicant and one of his drivers sufficiently so as to permit these individuals to use the forklift equipment of the J & F Sales Company and accepts their assistance in the unloading of the beer at the warehouses, and that said witness generally supports a local carrier. These same services in unloading are offered by the Protestants under their tariff charges and, therefore, the proposed operation is not different from the services being offered by the Protestants. It is found that Applicant has failed to establish, by competent evidence of record, that there is a special or particular need to grant the proposed transportation of beer.

(b) The second portion of Applicant's request for extended authority is a request to transport coal from all points within the State of Colorado to all points in the Counties of Fremont and Pueblo, State of Colorado.

The evidence of record shows that the customer of Applicant for whom he transports coal is the Southern Colorado Power Company with plants at Canon City and Pueblo, Colorado. The evidence further shows that the two power plants use coal for the generation of electricity, that such coal may be obtained not only from mines in the County of Fremont, for which transportation Applicant presently holds authority, and that coal

mined in other counties may be used in these plants. Applicant has transported coal for said company in the past, is well-familiar with the needs of his customer, and will effectively respond to the demands of his customer for the transportation of coal. Moreover, the evidence discloses that neither Westway nor Motor Way are involved in the transportation of coal by motor vehicle for Applicant's customer.

(c) The third part of Applicant's request for extended authority is for the transportation of peat moss from all points within the Counties of Lake and Teller, State of Colorado, to all points within the Counties of Fremont and Pueblo, State of Colorado.

The evidence of record shows that Applicant actually has two customers for whom he intends to haul peat moss. The said customers are one Andy Chavez in Pueblo and one Harold Merkel in Colorado Springs, Colorado. Colorado Springs, Colorado, is located in the County of El Paso. Applicant, in his prayer, has not requested to transport peat moss to any points in the County of El Paso, State of Colorado. Applicant failed to present any evidence that there is a special need for him to haul peat moss just generally in the subject area, but he did establish, however, that for the aforesaid Andy Chavez there does indeed exist a special need, and that Applicant is ready, able and willing to satisfy this need. None of the Protestants opposed the granting of this part of the authority.

(d) The last part of the request for extension is for the transportation of rock and stone, sacked and in bulk, from Texas Creek, Colorado, for one customer only; namely, the Texas Creek Native Stone Company, to all points within the State of Colorado.

Applicant has suitable equipment for this operation as evidenced by his Equipment List (Exhibit No. 2) and is well-familiar with the operations of his prospective customer. Protestants, Westway and Motor Way, have never transported any of this stone in intrastate traffic, and, therefore, the granting of the authority would not affect their revenues

O R D E R

THE COMMISSION ORDERS:

1. That Charles Caligaris, Jr., 1645 Chestnut Street, Canon City, Colorado, be, and hereby is, authorized to extend operations under Permit No. B-6901 as follows:

Transportation of

(1) Coal

From all points within the State of Colorado to the plants of the Southern Colorado Power Company at Canon City and Pueblo, Colorado;

(2) Peat moss

From all points within the Counties of Lake and Teller, State of Colorado, to the County of Pueblo, State of Colorado, restricted to serving one customer only, to wit: Andy Chavez in Pueblo, Colorado;

(3) Rock and stone, sacked and in bulk

From Texas Creek, Colorado, to all points within the State of Colorado, restricted to serving one customer only, to wit: Texas Creek Native Stone Company located at Texas Creek, Colorado.

2. That the rest and remainder of Application No. 24481-PP-Extension be, and hereby is, denied.

3. That henceforth the full and complete authority under Permit No. B-6901 shall be and read 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 sixty (60) 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 sixty (60) 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 sixty (60) miles of said jobs;

(4) Insulrock

From pits and supply points in the State of Colorado to roofing jobs within a radius of sixty (60) 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) Coal from all points located within the State of Colorado to the plants of Southern Colorado Power Company located at Canon City and Pueblo, Colorado;

(6) Coal

From the Twin Pines Coal Company located near Rockvale, Colorado, to the Walsenburg Utilities, Walsenburg, Colorado;

RESTRICTION:

Item (6) is restricted to rendering transportation service for only the Twin Pines Coal Company.

(7) Peat moss

From all points located within the Counties of Lake and Teller, State of Colorado, to points located within the County of Pueblo;

RESTRICTION:

Item (7) of this Permit is restricted to rendering transportation service for only Andy Chavez, Pueblo, Colorado.

(8) Rock and stone (in bags and bulk)

From Texas Creek, Colorado, to all points located within the State of Colorado;

RESTRICTION:

Item (8) of this Permit is restricted to rendering transportation service for only Texas Creek Native Stone Company, Texas Creek, Colorado.

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


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

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

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
hbp

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
)
G. G. BROWN)
BOX 815)
PADUCAH, TEXAS 79248)
)
)

AUTHORITY NO. 7020-I
CASE NO. 2974-H-Ins.

- - - - -

- - - - -
July 23, 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.

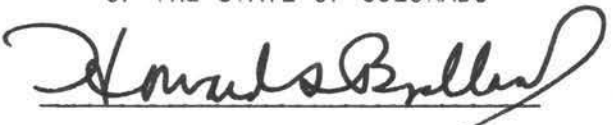
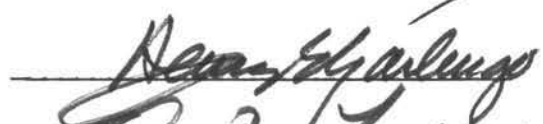

The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

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 23rd day of July, 1971

(Decision No. 78244)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RAILROADS OPERATING WITHIN THE STATE)
OF COLORADO FOR AUTHORITY TO INCREASE) APPLICATION NO. 24930
FREIGHT RATES AND CHARGES ON COLORADO)
INTRASTATE TRAFFIC (EX PARTE NO. 265;)
EX PARTE NO. 267).)

July 23, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On July 16, 1971, Public Service Company of Colorado, by its attorneys Lee, Bryans, Kelly & Stansfield, filed a Petition to Intervene and Protest in the above-captioned proceeding.

The Commission states and finds that Petitioner for Intervention, Public Service Company of Colorado, is a party 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 Public Service Company of Colorado, 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

CHAIRMAN HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT PARTICIPATING.

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

(Decision No. 78245)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: THE ISSUANCE OF TEMPORARY)	
CERTIFICATES OF PUBLIC CONVENIENCE)	APPLICATION NO. 25132
AND NECESSITY UNDER CHAPTER 115-9-4)	
(2), CRS 1963, FOR THE TEMPORARY OR)	EMERGENCY DISTRICT 6-71
SEASONAL MOVEMENT OF LATE ONIONS.)	

- - - - -
July 23, 1971
- - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Report has been received by the Commission from Lloyd C. Espinosa, Chief of Transportation, Transportation Section of this Commission, indicating that an emergency exists because of the shortage of motor vehicles for the transportation of late onions in the Counties of Adams, Baca, Bent, Delta, Mesa, Montrose, Morgan and Weld, Colorado.

Request, pursuant to the above, has been made for an Order of the Commission to issue temporary certificates so as to authorize the temporary or seasonal operation of motor vehicles for the purpose of transporting late onions in the counties as set forth above.

The Commission states and so finds that an emergency exists because of the shortage of motor vehicles for the transportation of late onions in the Counties of Adams, Baca, Bent, Delta, Mesa, Montrose, Morgan and Weld, Colorado, and that the present or future public convenience and necessity require or will require the issuance of temporary certificates for the temporary or seasonal operation of motor vehicles for the purpose of transporting said commodities, as provided in Chapter 115, Article 9, Section 4 (2), CRS 1963, and as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That temporary certificates be, and hereby are, authorized for the temporary or seasonal operation of motor vehicles for the purpose of transporting late onions in the Counties of Adams, Baca, Bent, Delta, Mesa, Montrose, Morgan and Weld, State of Colorado; provided, however, that said certificates shall be effective for only a period of NINETY (90) DAYS commencing August 1, 1971.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

CHAIRMAN HOWARD S. BJELLAND NECESSARILY
ABSENT AND NOT PARTICIPATING.

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

vjr

(Decision No. 78246)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
A. J. FENISON, 1235 TONKA STREET,)	APPLICATION NO. 25082-PP
COLORADO SPRINGS, COLORADO, FOR)	
AUTHORITY TO OPERATE AS A CLASS "B")	ORDER OF THE COMMISSION
CONTRACT CARRIER BY MOTOR VEHICLE.)	

July 26, 1971

It appearing, That by Order of the Commission dated July 8, 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 A. J. Fenison, 1235 Tonka Street, Colorado Springs, 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

CHAIRMAN HOWARD S. BJELLAND NECESSARILY
ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado, this
26th day of July, 1971.

vjr

(Decision No. 78247)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
CARL J. SCAVO AND PATRICIA M. SCAVO,)	
DOING BUSINESS AS "SCAVO TRUCKING &	)	APPLICATION NO. 25080-PP
TOWING," 3347 WEST 53RD AVENUE, DENVER,)	
COLORADO, FOR AUTHORITY TO OPERATE	)	ORDER OF THE COMMISSION
AS A CLASS "B" CONTRACT CARRIER BY)	
MOTOR VEHICLE.)	

July 26, 1971

It appearing, That by Order of the Commission dated July 8, 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 referenced 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 Carl J. Scavo and Patricia M. Scavo, doing business as "Scavo Trucking & Towing," 3347 West 53rd Avenue, Denver, 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 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

CHAIRMAN HOWARD S. BJELLAND NECESSARILY
ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado, this
26th day of July, 1971.

vjr

(Decision No. 78248)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
BURL ENTERPRISES, INC., 10930 WEST)	APPLICATION NO. 25081-PP
44TH AVENUE, WHEAT RIDGE, COLORADO,)	
FOR AUTHORITY TO OPERATE AS A CLASS)	ORDER OF THE COMMISSION
"B" CONTRACT CARRIER BY MOTOR)	
VEHICLE.)	

- - - - -
July 26, 1971
- - - - -

Appearances: Richard W. Gillespie, Esq.,
Englewood, Colorado,
for Applicant.

It appearing, That by Order of the Commission dated July 8, 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 Burl Enterprises, Inc., 10930 West 44th Avenue, Wheat Ridge, 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.

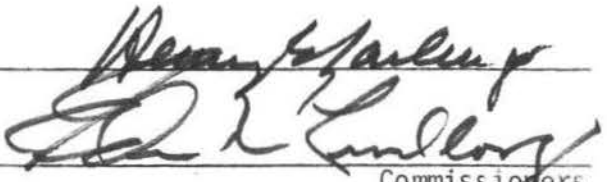
It is further ordered, That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this Permit as deemed advisable.

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 (21) days from the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

CHAIRMAN HOWARD S. BJELLAND NECESSARILY
ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado, this
26th day of July, 1971.

vjr

(Decision No. 78249)

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
WALDEN, COLORADO, FOR AUTHORITY TO)	
OPERATE AS A COMMON CARRIER BY)	ORDER OF THE COMMISSION
MOTOR VEHICLE.)	

July 27, 1971

Appearances: John A. Price, Esq.,
Walden, Colorado,
for Applicant.

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 the present or future public convenience and necessity requires or will require Applicant's transportation service as hereinafter ordered;

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 John L. Hughes, 817 - 7th Street, Walden, Colorado, be, and is hereby, granted a Certificate of Public Convenience and Necessity to operate as a common carrier by motor vehicle for hire for the following:

"Transportation of

Ash, trash, and other refuse

From all points located within an area comprised of the County of Jackson, State of Colorado, to such locations where the same may be lawfully delivered or disposed of."

and this Order shall be taken, deemed and held to be a CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY therefor.

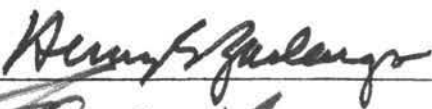
It is further ordered, That Applicant shall file tariffs of rates, rules and regulations as required by law and the rules and regulations of this Commission within twenty (20) days from date hereof.

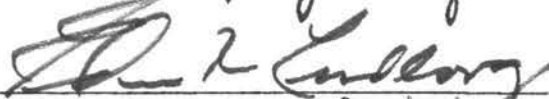
It is further ordered, That the holder of this Certificate shall operate in accordance with the Order of the Commission except when prevented by Act of God, the public enemy, or extreme conditions.

It is further ordered, That this Order is subject to compliance by the holder of this Certificate 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

CHAIRMAN HOWARD S. BJELLAND NECESSARILY
ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado, this
27th day of July, 1971.
vjr

(Decision No. 78250)

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

July 27, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On July 12, 1971, a Petition for Leave to Intervene was filed in the above-captioned matter by certain individuals who state in their Petition that they are passengers of Applicant, Denver-Boulder Bus Company. Petitioners request that the data ordered by the Commission to be submitted to the Staff of the Commission twenty-one (21) days prior to the hearing date hereon shall be submitted to such Petitioners.

The within matter has been set for hearing on August 18, 1971, in the hearing room of the Commission, 507 Columbine Building, 1845 Sherman Street, Denver, Colorado.

The Commission states and finds that Petitioners are parties who may or might be interested in or affected by any Order which may be entered in this proceeding and that the interventions should be authorized.

The Commission further states and finds that all information and data filed with the Commission pursuant to its Order becomes public record upon such filing and is available for examination by Petitioners.

O R D E R

THE COMMISSION ORDERS:

1. That the following Petitioners be, and hereby are, permitted to intervene in the within application:

Mr. Richard C. McLean, pro se and for
other Petitioners/Protestants
622 American National Bank Building
Denver, Colorado 80202 292-3280

Mr. Daniel F. Bernard, pro se, and for
other Petitioners/Protestants
Security Life Building
Denver, Colorado 80202 244-6075

Mr. Gary P. Sandblom, pro se, and for
other Petitioners/Protestants
Denver Club Building
Denver, Colorado 80202 292-4060

Mr. Calvin E. Evans
1724 Norwood
Boulder, Colorado 80302

Mr. Lawrence G. Weiss
801 Euclid Avenue
Boulder, Colorado 80302

Mr. John B. Rushton
1930 Bluebell Avenue
Boulder, Colorado 80302

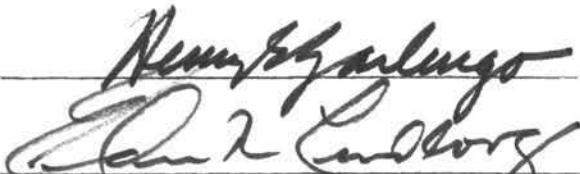
Mr. Gerald Loucks
925 Kohl Street
Broomfield, Colorado 80020

Mr. Charles F. Klein
881 - 14th Street
Boulder, Colorado 80302

Mr. David Gottlieb
891 - 16th Street
Boulder, Colorado 80302

This Order shall be effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

CHAIRMAN HOWARD S. BJELLAND NECESSARILY
ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado, this
27th day of July, 1971.

vjr

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO
* * *

IN THE MATTER OF THE APPLICATION OF)
WILHELM L. LORENZ, DOING BUSINESS AS)
GILPIN COUNTY-CENTRAL CITY TAXI CAB)
COMPANY, FOR A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY AUTHORIZING)
OPERATION AS A COMMON CARRIER BY MOTOR)
VEHICLE FOR HIRE FOR THE TRANSPORTATION)
OF PASSENGERS FROM GILPIN COUNTY AS THE)
POINT OF ORIGIN TO ANY POINT IN GILPIN,)
CLEAR CREEK, BOULDER, DENVER, JEFFERSON,)
ARAPAHOE, SUMMIT, GRAND, DOUGLAS AND)
ADAMS COUNTIES, STATE OF COLORADO.)

APPLICATION NO. 25105

July 27, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On July 21, 1971, Yellow Cab, Inc., by its attorney, Walter Simon, filed a Motion to Intervene in the above-captioned proceeding.

The Commission states and finds that Intervenor, Yellow Cab, Inc., is a party 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.


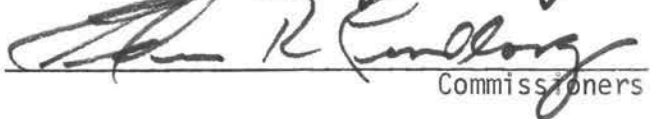
O R D E R

THE COMMISSION ORDERS:

That the Motion to Intervene by Yellow Cab, 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

CHAIRMAN HOWARD S. BJELLAND NECESSARILY
ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado, this
27th day of July, 1971.
vjr

(Decision No. 78252)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
W. R. HILL)
413 SOUTH PARK STREET)
CORTEZ, COLORADO 81321)

PERMIT NO. B-6461

July 26, 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.

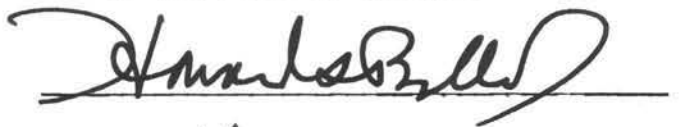
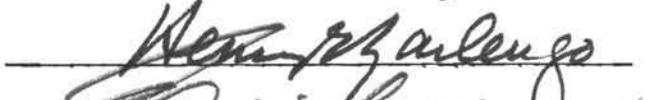
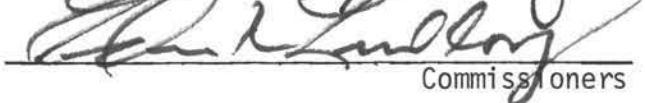
O R D E R

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 23, 1971 to and including January 23, 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 26th day of July, 1971.

(Decision No. 78253)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF }
W. R. HILL }
413 SOUTH PARK STREET }
CORTEZ, COLORADO 81321 }

PUC NO. 7675-I

July 26, 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.

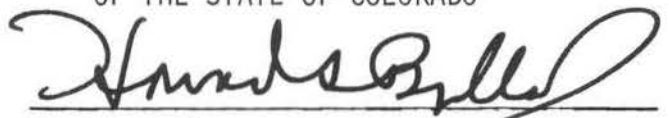
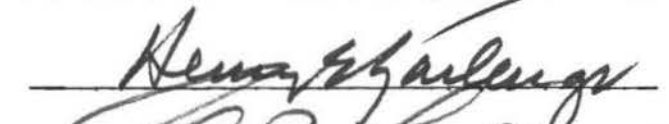
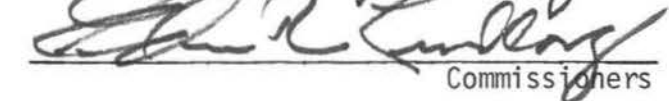
O R D E R

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 23, 1971 to and including January 23, 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 26th day of July, 1971.

hbp

(Decision No. 78254)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
V. L. HINES)
810 WEST CLIFF)
HOLLY, COLORADO 81047)

PERMIT NO. B-7189

July 26, 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.

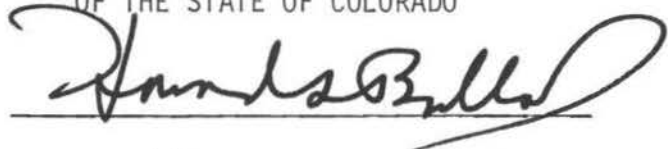
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

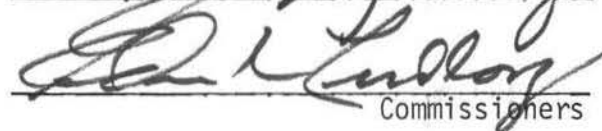
THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective June 28, 1971.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO






Commissioners

Dated at Denver, Colorado,
this 26th day of July, 1971.

(Decision No. 78255)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
HARLEY I. KEETER, JR.) PUC NO. 62
6379 VALMONT DRIVE)
BOULDER, COLORADO 80302)

July 26, 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 Commission is now in receipt of a communication from the above-named carrier requesting that said authority be reinstated.

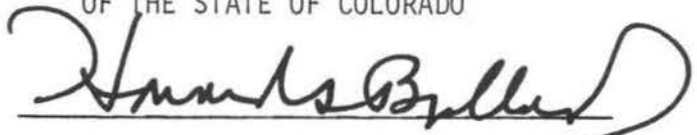

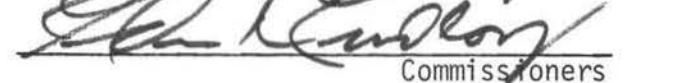
The Commission finds that the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, reinstated as of July 15, 1971.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 26th day July, 1971.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
RESPONDENT, B R & H BROKERAGE AND)
TRUCKING, 2700 SIXTH AVENUE, GREELEY,)
COLORADO 80630)
-----)

CASE NO. T-31

PERMIT NO. B-1877

ORDER TO SHOW CAUSE
AND NOTICE OF HEARING

July 27, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above-named Respondent was issued the above-captioned and numbered operating rights to engage in the business of a motor vehicle carrier. The files and records of the Commission disclose that said Respondent has violated the law and the rules and regulations of the Commission by failing and neglecting to maintain a tariff as required, and that said Respondent is now conducting motor vehicle operations under said operating rights in violation of said law, rules and regulations.

O R D E R

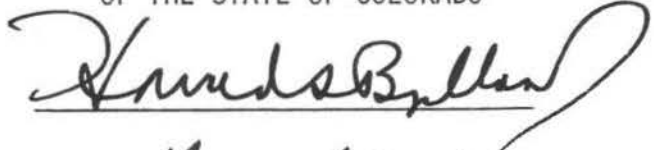
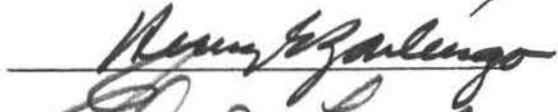
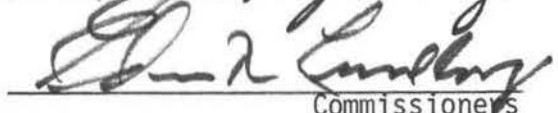
THE COMMISSION ORDERS:

That Respondent, B R & H Brokerage and Trucking, is hereby directed to appear before the Commission on the day and time as set forth below, 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 aforesaid Permit of the Respondent.

That this Case be, and the same hereby is, set for hearing before the Commission, Room 500, Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 9:00 a.m., on August 10, 1971,

at which time and place such evidence as is proper may be introduced
and such arguments as are material to the issue may be presented.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
27th day of July, 1971. av

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
RESPONDENT, NU-MINE COAL COMPANY,)
INC., ISLAND ADDITION, BOX 419,)
GUNNISON, COLORADO 81230)
-----)

CASE NO. T-32

Certificate No. 1636

ORDER TO SHOW CAUSE
AND NOTICE OF HEARING

July 27, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above-named Respondent was issued the above-captioned and numbered operating rights to engage in the business of a motor vehicle carrier. The files and records of the Commission disclose that said Respondent has violated the law and the rules and regulations of the Commission by failing and neglecting to maintain a tariff as required, and that said Respondent is now conducting motor vehicle operations under said operating rights in violation of the law and the rules and regulations of the Commission.

O R D E R

THE COMMISSION ORDERS:

That Respondent, Nu-Mine Coal Company, Inc., is hereby directed to appear before the Commission on the day and time set forth below, 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 aforesaid Certificate PUC No. 1636.

That this Case be, and the same hereby is, set for hearing before the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 9:00 a.m., on August 10, 1971, at which time and place such evidence as is proper may be introduced, and such

arguments as are material to the issue may be presented.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Harold S. Byllan

Reynolds Gallegos

Ed R. Lundberg

Commissioners

Dated at Denver, Colorado, this
27th day of July, 1971. av

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
MILLER BROS., INC., 306 NORTH EIGHTH)	
AVENUE, P. O. BOX 1228, GREELEY,)	APPLICATION NO. 23790
COLORADO, FOR A CERTIFICATE OF PUBLIC)	
CONVENIENCE AND NECESSITY.)	

IN THE MATTER OF THE APPLICATION OF)	
MILLER BROS., INC., P. O. BOX 1228)	
GREELEY, COLORADO, FOR A CERTIFICATE)	APPLICATION NO. 24556
OF PUBLIC CONVENIENCE AND NECESSITY)	Extension and/or
AUTHORIZING EXTENSION AND/OR CLARI-)	Clarification
FICATION OF PUC NO. 2251.)	

ORDER DENYING PETITION FOR LEAVE
TO INTERVENE OR IN THE ALTERNATIVE
TO APPEAR AS AMICUS CURIAE

- - - - -
July 26, 1971
- - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On July 21, 1971, the Contract Carriers Conference of the Colorado Motor Carriers' Association filed a Petition to Intervene, or in the alternative, to appear as amicus curiae in the above-entitled applications. The Commission finds that the applications have already been heard and the matter is under advisement; that the Petition is not timely filed and no good cause has been shown for the delay, and concludes that the same should be denied as set forth in the Order below.

O R D E R

THE COMMISSION ORDERS THAT:

The Petition of the Contract Carriers Conference of the Colorado Motor Carriers' Association for Leave to Intervene, or in the alternative, to appear as amicus curiae in the above-entitled applications be, and hereby is, denied.

This Order shall be effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 26th day of July, 1971.
hbp

(Decision No. 78259)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	APPLICATION NO. 23248-Amended
EPHRAIM FREIGHTWAYS, INC., 1385)	
UMATILLA STREET, DENVER, COLORADO,)	RECOMMENDED DECISION OF
FOR A CERTIFICATE OF PUBLIC CONVEN-)	CHRISTIAN O. IGENBERGS,
IENCE AND NECESSITY TO OPERATE AS)	EXAMINER
A COMMON CARRIER BY MOTOR VEHICLE)	
FOR HIRE.)	GRANTING IN PART AND DENYING IN PART

July 27, 1971

Appearances: John H. Lewis and Roger Sollenbarger,
Esqs., Denver, Colorado, for
Applicant.
Joseph F. Nigro, Esq., Denver,
Colorado, for Weicker Transfer &
Storage Co.; Frank R. Givigliano,
doing business as "Givigliano
Transport"; and Gottula Trucking
& Transportation, Inc., Protestants.
Leslie R. Kehl, Esq., Denver,
Colorado, for Goldstein Transportation
and Storage, Inc.; Ward Transport, Inc.;
Ruan Transport Corporation; Groendyke
Transport, Inc.; and Petco, Inc. of
Colorado, Protestants.
Edward C. Hastings, Esq., Denver, Colorado,
for Mauverdene Robinson, doing business
as "K & K Transfer Co."; and Denver-Limon-
Burlington Transfer Company, Protestants.
David C. Parlapiano, Esq., Pueblo, Colorado,
for Ermon L. Tyler, doing business as
"Fowler Truck Line," Protestant.

PROCEDURE AND RECORD

Under date of June 11, 1968, Applicant Ephraim Freightways, Inc., hereinafter also referred to as Ephraim or 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 also requested temporary authority for the interim period prior to the granting of permanent authority.

On October 23, 1968, Applicant filed an amended application.

The Commission assigned Docket No. 23248-Amended to the application and on January 8, 1970, 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 by the Commission: on January 27, 1970, a protest of Frank R. Givigliano, doing business as "Givigliano Transport"; and Gottula Trucking & Transportation, Inc.; on January 28, 1970, Weicker Transfer & Storage Co.; on February 3, 1970, Goldstein Transportation and Storage, Inc.; on February 4, 1970, Denver-Limon-Burlington Transfer Company (hereinafter referred to also as "D-L-B" or "Protestant"); and Mauverdene Robinson, doing business as "K & K Transfer Company"; on February 6, 1970, Ermon L. Tyler, doing business as "Fowler Truck Line", Charles McGhee, doing business as "T & W Truck Line"; Ward Transport, Inc.; Ruan Transport Corporation; Groendyke Transport, Inc.; and Petco, Inc. of Colorado.

On June 30, 1970, the Commission set the within matter for hearings on October 5 and 6, 1970, at 10 a.m., in the Hearing Room of the Commission, Columbine Building, 1845 Sherman Street, Denver, Colorado, and on October 8 and 9, 1970, at 10 a.m. in the Courtroom of the District Court, Courthouse, Lamar, Colorado.

On October 2, 1970, Protestant, Goldstein Transportation and Storage, Inc., withdrew its protest.

Pursuant to law, the Commission assigned the application to Christian O. Igenbergs, Examiner, for the purpose of conducting a hearing in the within matter. At the commencement of the hearing on October 5,

1970, Applicant moved for leave to again amend the application so that the requested authority should read as follows, to-wit:

"Transportation, on schedule, of

Freight and express, consisting of general commodities, except commodities in bulk, in tank vehicles:

(a) Between Pueblo, Colorado, and Lamar, Colorado, over U.S. 50, serving all intermediate points and serving the off-route point of McClave, except Las Animas and points on the described highways between the junctions of U.S. 50 and Colorado 96 and the junctions of U.S. 50 and Colorado 71, and the Pueblo Ordnance Depot;

(b) Between Denver and Lamar, Colorado, serving no intermediate points, over U.S. Interstate Highway 70, U.S. Interstate Business Loop Highway 70 and U.S. Highway 287;

(c) The area extending 3 1/2 miles beyond the city limits of Pueblo, Colorado (and Pueblo Memorial Airport), on shipments having a prior or subsequent movement on applicant's line; and an area extending five miles beyond the city limits of the City and County of Denver, Colorado, on shipments having a prior or subsequent movement over applicant's lines;

(d) Between all points authorized to be served by applicant, to provide through service over through routes between any two points on presently existing or subsequently acquired motor vehicles carrier authority, without restriction against interlining or tacking with existing or subsequently acquired motor vehicle carrier authority and serving all intermediate and off-route points without restriction."

The amendment, being restrictive in nature, was granted by the Examiner, whereupon all Protestants except Denver-Limon-Burlington Transfer Company and Mauverdene Robinson, doing business as "K & K Transfer Company," requested leave to withdraw from the proceedings. The Examiner granted the aforesaid Protestants leave to withdraw. Hearing was held in Denver, Colorado, on October 5 and 6, 1970, and in Lamar, Colorado, on October 8 and 9, 1970, and again in Denver, Colorado, on February 26, 1971, when the hearing was concluded.

Exhibits numbered 1, 2, 3a, and 4 through 20, inclusive, were tendered and admitted into evidence. Exhibit No. 3 was rejected.

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

On March 10, 1971, Applicant was granted temporary authority by the Commission (Decision No. 77116).

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. Applicant holds previously granted authority from this Commission as a common carrier by motor vehicle for hire; namely, Certificates of Public Convenience and Necessity PUC No. 7368, PUC No. 7368-I, and PUC No. 7946. Certificate of Public Convenience and Necessity PUC No. 7368 authorizes, in essence, the transportation of general commodities between Denver and Pueblo, Colorado. Certificate of Public Convenience and Necessity PUC No. 7946 authorizes, in essence, the transportation of general commodities between Denver, Colorado Springs, and Pueblo, Colorado, and Grand Junction, Colorado, serving named intermediate points and subject to several restrictions.

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 following:

"Transportation, on schedule, of

Freight and express, consisting of general commodities, except commodities in bulk, in tank vehicles:

(a) Between Pueblo, Colorado, and Lamar, Colorado, over U.S. 50, serving all intermediate points and serving the off-route point of McClave, except Las Animas and points on the described highways between the junctions of U.S. 50 and Colorado 96 and the junctions of U.S. 50 and Colorado 71, and the Pueblo Ordnance Depot;

(b) Between Denver and Lamar, Colorado, serving no intermediate points, over U.S. Interstate Highway 70, U.S. Interstate Business Loop Highway 70 and U.S. Highway 287;

(c) The area extending 3 1/2 miles beyond the city limits of Pueblo, Colorado (and Pueblo Memorial Airport), on shipments having a prior or subsequent movement on applicant's line; and an area extending five miles beyond the city limits of the City and County of Denver, Colorado, on shipments having a prior or subsequent movement over applicant's lines;

(d) Between all points authorized to be served by applicant, to provide through service over through routes between any two points on presently existing or subsequently acquired motor vehicle carrier authority, without restriction against interlining or tacking with existing or subsequently acquired motor vehicle carrier authority and serving all intermediate and off-route points without restriction."

4. Protestant Denver-Limon-Burlington Transfer Company, a common carrier by motor vehicle for hire, owns Certificate of Public Convenience and Necessity PUC NO. 699, which, in the part pertinent to this proceeding, reads as follows, to-wit:

"Transportation of freight, generally,

from point to point in Cheyenne County west of a line drawn immediately west of First View and Hugo, and intermediate points situated on said highway running between Hugo and said line;

freight, generally,

between Denver and points situated east of Hugo on said Highway and within Cheyenne County west of said line and between points in that portion of Cheyenne County west of said line and in that portion of Cheyenne County lying east of said line.

Transportation of freight

between the towns of Kit Carson, Eads and Sugar City and all intermediate points over Highways 59 and 96;

Transportation of freight and express, including livestock and farm products,

between Denver and Eads, Chivington, Brandon, Sheridan Lake, Towner, Agate, Buick, River Bend, Limon and Hugo, but not to or from any intermediate points not named.

freight, generally,

between Denver and points situated east of Hugo on Highway 40 and west of, but not including, First View in Cheyenne County;

call and demand service

from and to points in that part of Cheyenne County which lies west of a line drawn north and south through a point immediately west of First View and to and from points in that part of said County lying east of said line.

Decision No. 39025: EXTENDED To include the transportation of commodities

between points within an area two miles beyond and contiguous to the City Limits of the City and County of Denver, and other points than Denver now served by applicant.

Decision No. 41078 as amended by Decision No. 41141: Transfers PUC 306 and Consolidates herewith:

Transportation of freight

between Eads and Lamar, Colorado, and intermediate points, and livestock, only, to Lamar from the territory within a radius of 10 miles from Eads and 2 miles from Wiley, Colorado.

That Transferee shall establish and publish through rates from Denver, Colorado, to Lamar, Colorado, via Eads, Colorado, which are the present established through rates from Denver, Colorado, to Lamar, Colorado, via Pueblo, Colorado.

Decision No. 47683: EXTENDED: to include the transportation of:

2. Freight

between Denver, Colorado, on the one hand, and, on the other hand, Kit Carson, Eads, and Sugar City, and all intermediate points between Kit Carson and Sugar City, Colorado, service in the last named base area to be over Colorado State Highways Nos. 59 and 96.

Decision No. 49162: EXTENDED: Scheduled service to include the pick up and delivery service

from and to points in Denver and within five miles thereof, limited, however, to goods having a prior or subsequent movement to and from eastern Colorado points over the line-haul service of the applicant."

The authority of Protestant, Denver-Limon-Burlington Transfer Co., is in conflict with the authority requested by Applicant. The authority granted to Mauverdene Robinson, doing business as "K & K Transfer Co.," is not in conflict with the authority requested by Applicant as finally amended, and said carrier did not present any evidence at the hearing.

5. This Commission has jurisdiction over the Applicant, the Protestants, and the subject matter of this proceeding.

6. Applicant owns or leases the following equipment: 26 two- and three-axle trucks; 6 converter vans; 33 trailers, 27 to 45 feet long, 4 of which are refrigerated; and 47 pickup trucks (Exhibit No. 4). This equipment, especially the tractors, converter vans, and trailers, are appropriate and suitable to be used in the service proposed by Applicant.

7. Applicant maintains terminals in Denver, Colorado Springs, Pueblo, and Grand Junction. The Denver terminal includes an office and a

maintenance shop and contains a dock 75 feet wide and 40 feet long with 9 loading doors. In Colorado Springs, Applicant leases terminal facilities that contain a dock 40 feet wide and 80 feet long with 6 loading doors. In Pueblo, Applicant leases a terminal that contains a dock 50 feet wide and 80 feet long with 3 loading doors (Exhibit No. 5). In Lamar, Applicant intends to utilize the facilities of another carrier, one Albert R. Jackson, doing business as "Jackson Cartage Co.," for pickup and delivery of freight. All the aforesaid facilities are staffed with employees well-acquainted with freight traffic and are suitable for the proposed operations.

8. Applicant has established that it has sufficient assets and funds that are ample for the operation of the authority applied for herein (Exhibit No. 7, Balance Sheet of Applicant).

9. The chief corporate officers as well as the employees of Applicant are sufficiently familiar with the rules and regulations of this Commission and, if this application is granted, promise to abide by the said rules and regulations, as well as the safety requirements of the Commission. Further, Applicant has or will make adequate provision for insurance (Exhibit No. 12).

10. Applicant proposes to operate over two routes basically, one beginning at Denver, over Interstate Highway No. 70 and U.S. Highway No. 287, ending at Lamar; and the other beginning at Pueblo over U.S. Highway No. 50, again ending at Lamar. We will treat these separate paragraphs of the requested authority in their alphabetical sequence:

- (a) is a proposal to transport, on schedule, freight and express, except commodities in bulk, in tank vehicles, between Pueblo, Colorado, and Lamar, Colorado, over U.S.

No. 50, serving all intermediate points and serving the off-route point of McClave, except Las Animas and points on the described highways between the junctions of U.S. 50 and Colorado 96 and the junctions of U.S. 50 and Colorado 71, and the Pueblo Ordnance Depot.

The Applicant has established by competent evidence, and in particular, through the testimony of numerous shipper and consignee witnesses, that the economy in the Arkansas River Valley, which, for some years, had been in a depressed state, is now experiencing a period of sustained growth and that due to projects undertaken by state and local authorities, the problem of the supply of water, which had been a major shortcoming in the subject area, is now being solved insuring the Arkansas River Valley of sufficient water for the purpose of agricultural and industrial development, especially agricultural processing. The population in the Valley, which, according to the testimony of the general manager of the Southeastern Water Conservation District, is now approximately 20,000, and it is expected to double within the next 10 years. Two major common carriers; namely, Red Ball Motor Freight, Inc., and Santa Fe Trail Transportation Company, have curtailed their intrastate services between Pueblo and points in the Arkansas River Valley east of Pueblo, thus causing delays in freight shipments to and from Colorado Springs, Pueblo, and the Arkansas River Valley towns east of Pueblo. Pueblo, Colorado, is the principal gateway for intrastate freight moving to and from the Arkansas River Valley towns. One of these carriers, the Santa Fe Trail Transportation Company, has, in fact, if not in name, embargoed LCL intrastate shipments on less than 6,000 pounds by eliminating its participation in such shipments from Tariff 12-B, PUC 19, of the Colorado Motor Carriers' Association, Loca]

and Joint Class and Commodity Rates (Exhibit No. 19). It is, therefore, found as a fact that existing service between Pueblo, Colorado, and Lamar, Colorado, over U.S. Highway No. 50 is grossly inadequate. It is further found that Applicant has established, by competent evidence, that it is ready, willing, and able to serve in the area described above in the Applicant's prayer under paragraph (a).

11. Under paragraph (b) of its prayer, Applicant requests authority to transport, on schedule, the same commodities as stated in Finding of Fact No. 10, supra, between Denver and Lamar, Colorado, serving no intermediate points, over U.S. Interstate Highway No. 70, U.S. Interstate Business Loop Highway No. 70, and U.S. Highway No. 287. The situation here with regard to the transportation of freight is quite different from the one on the Pueblo-Lamar run. Existing freight service between Denver and Lamar, Colorado, over the subject route is now supplied mainly by the Protestant, Denver-Limon-Burlington Transfer Co. Said Protestant serves many small towns, communities and the rural areas in the Counties of Lincoln, Elbert, Kit Carson, Cheyenne, Kiowa, and Prowers. The area is sparsely populated and the population is decreasing rather than increasing except in the County of Prowers. Business and, in particular, freight shipping is a constant or shows only a slight increase from year to year. Nevertheless, this area and the business therein needs freight services, which said services are supplied by Denver-Limon-Burlington Transfer Co. Many such small communities, to use only a few as an example like Hugo, Kit Carson, Eads, Cheyenne Wells, Sheridan Lake, and others, do not generate sufficient business to sustain a freight line and connect them in freight service to Denver, on the one hand, and Lamar, on the other hand. The service of a freight line moving to and from between Denver and Lamar over Interstate No. 70 and U.S. No. 287 can only be

sustained with additional shipping between the two end points; namely, Denver and Lamar. Protestant, D-L-B, has established that in the month of September 1970 it had carried in intrastate traffic 114,518 pounds from Denver to Lamar and had derived therefrom revenues of approximately \$3,157 (Exhibit No. 30, Appendix 4). Taking September as a representative month and multiplying both the freight and revenue figures by 12 months, we arrive at an annual figure of 1,374,216 pounds and approximately \$37,884. Almost all of the freight arriving in Lamar (Exhibit No. 20) on Protestant's trucks originated in Denver, and the small communities mentioned above were served by drops by the trucks enroute from Denver to Lamar and vice versa. If Applicant were to be granted the authority as contained in paragraph (b) of its prayer, a large portion of this traffic that D-L-B is now carrying would be subject to diversion. It has further been established that the services of Protestant D-L-B are adequate in most respects and its services are being used by shippers and consignees, both in Denver and Lamar, Colorado. Economic conditions and, in particular, the revenues to be derived from shipping freight between Denver and Lamar, Colorado, do not justify the addition of another common carrier in freight service between the two towns over Interstate No. 70 and U.S. No. 287 because added competition would dilute business of the existing carrier to a considerable extent. The Protestant has suitable equipment to serve the subject traffic; namely, 19 tractors; 15 semi-trailer vans; 20 straight truck vans; 3 straight truck stake vans; 1 pickup truck; and 7 trailers, 28 to 40 feet long (Exhibit No. 20, Appendix 3). Furthermore, Protestant has a net worth of approximately \$188,000, which said sum is ample to continue to operate its authority over Interstate No. 70 and U.S. No. 287. It is found as a fact

that Applicant has failed to establish by competent evidence that its services as proposed in (b) of its prayer for authority could be justifiably granted.

12. Under paragraph (c) of its prayer, Applicant requests authority to transport the same commodities as enumerated in Finding of Fact Nos. 10 and 11, supra, from the area extending 3 1/2 miles beyond the city limits of Pueblo, Colorado (and Pueblo Memorial Airport), on shipments having a prior or subsequent movement on Applicant's line; and an area extending 5 miles beyond the city limits of the City and County of Denver, Colorado, on shipments having a prior or subsequent movement over Applicant's line. This request for authority involves pickup and delivery of freight brought to Applicant's terminals on a line-haul. Applicant has established by competent evidence, and, in particular, by the testimony of its operating witnesses that there is a need for its services in the extended areas as prayed for.

13. Under the last paragraph numbered (d) of its prayer, Applicant requests authority for the transportation of the aforesaid commodities between all points authorized to be served by Applicant, to provide through service over through routes between any two points on presently existing or subsequently acquired motor vehicle carrier authority, without restriction against interling or tacking with existing or subsequently acquired motor vehicle carrier authority in serving all intermediate and off-route points without restriction.

It is found as a matter of fact and law that Applicant could not be granted authority to interline or amalgamate future authorities with authority it presently holds. To do otherwise would do violence to the statutory provisions governing common carriers by motor vehicle for hire. The applicable statutory provisions read as follows, to-wit:

"115-9-4. Certificate required. -- (1) No motor vehicle carrier, as defined in subsection (4) of section 115-9-1, shall hereafter operate any motor vehicle for the transportation of either persons or property, or both, upon the public highways of this state, without first having obtained from the commission a certificate declaring that the present or future public convenience and necessity requires or will require such operation. This provision shall not apply to hearses or ambulances, nor to motor vehicles especially constructed for purposes of repairing and towing wrecked vehicles and not otherwise used for transporting property, but shall apply to motor vehicles used for transporting ashes, trash, waste, rubbish, and garbage, in general service to the public."

"115-9-5. Rules for issuance. -- (1) The commission shall have power, under such rules of procedure governing the application therefor as it may prescribe, to issue a certificate of public convenience and necessity to a motor vehicle carrier or to issue it for the partial exercise only of the privilege sought; and may attach to the exercise of the rights granted by said certificate such terms and conditions as, in its judgment, the public convenience and necessity may require."

To determine beforehand for all times that Applicant may interline, tack, or amalgamate any existing authority with any subsequently acquired authority precludes the Commission from establishing and declaring that the present or future public convenience and necessity requires or will require such interlining, tacking, or amalgamation. Economic conditions are in a constant flux and change as time progresses. It is obvious that the Commission cannot grant the request of Applicant as contained in the aforesaid paragraph (d) of its prayer for authority because it is uncertain at the present time whether public convenience and necessity would or would not require the interlining, tacking, or amalgamation of existing authorities with some presently unknown and completely nebulous authorities that Applicant may acquire in the future. Should Applicant acquire any additional authority in the future and wish to amalgamate same with its existing authority, the proper way to do so is by application to this Commission.

On the other hand, it is found that the request of Applicant with respect to existing authorities is well-founded because it permits more economic and more streamlined operations.

14. The present or future public convenience and necessity requires or will require the granting of the authority as hereinafter set forth.

15. 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 Ephraim Freightways, Inc., a Colorado corporation, 1385 Umatilla Street, Denver, Colorado, be, and hereby is, authorized to operate as a common carrier by motor vehicle for hire for the following, to-wit:

(1) Transportation -- on schedule -- of

General commodities

Between Pueblo, Colorado, and Lamar, Colorado, over U.S. Highway No. 50 serving the following intermediate points:

(a) Those points located on said U.S. Highway No. 50 between Pueblo, Colorado, and the junction of U.S. Highway No. 50 and Colorado Highway No. 96 except the Pueblo Ordnance Depot;

- (b) Those points located on said U.S. Highway No. 50 between the junction of Colorado Highway No. 71 and U.S. Highway No. 50 and Lamar, Colorado, except Las Animas, Colorado;

and the off-route point of McClave, Colorado.

- (2) Transportation -- in pickup and delivery service -- of

General commodities

- (a) Within the area extending three and one-half (3 1/2) miles beyond the city limits of Pueblo, Colorado (including the Pueblo Memorial Airport);
- (b) Within an area extending five (5) miles beyond the city limits of the City and County of Denver, Colorado.

RESTRICTION:

Item (2) is restricted to shipments having a prior or subsequent movement on the carrier's line.

RESTRICTION:

Items (1) and (2) of this Certificate are restricted against the transportation of commodities in bulk in tank vehicles.

- (3) Transportation service is authorized to be combined between all points set forth in Items (1) and (2) above, and any other Common Carrier authority the carrier presently holds so as to permit the rendition of transportation service to and from any and all points authorized to be served under the Common Carrier Certificates which the carrier presently holds.

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. 23248-Amended 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.

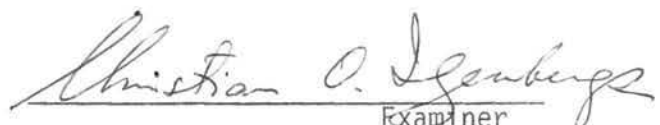
4. That Applicant shall operate its carrier system in accordance with the Order of the Commission, except when prevented by an Act of God, the public enemy, or extreme conditions.

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
js

(Decision No. 78260)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF	)	APPLICATION NO. 24744
CHARLES L. SOBER AND LOISE B. SOBER,)	
DOING BUSINESS AS "C. & L. TRASH	)	RECOMMENDED DECISION OF
SERVICE," P.O. BOX 35, FOWLER,	)	CHRISTIAN O. IGENBERGS,
COLORADO, FOR A CERTIFICATE OF PUBLIC	)	EXAMINER
CONVENIENCE AND NECESSITY TO OPERATE)	
AS A COMMON CARRIER BY MOTOR VEHICLE	)	GRANTING APPLICATION
FOR HIRE.)	

- - - - -
July 27, 1971
- - - - -

Appearances: Arthur R. Hauver, Esq.,
Denver, Colorado, for Applicant.
Robert S. Stauffer, Esq.,
Cheyenne, Wyoming, for
Ermon L. Tyler, doing business as
"Fowler Truck Line," Protestant.

PROCEDURE AND RECORD

Under date of January 14, 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 February 1, 1971, was granted such temporary authority.

The Commission assigned Docket No. 24744 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 January 25, 1971, Ermon L. Tyler, doing business as "Fowler Truck Line," filed a protest.

Pursuant to law, the Commission assigned the application to Christian O. Igenbergs, Examiner, for the purpose of conducting a hearing 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 Council Chambers, City Hall, Pueblo, Colorado, on Monday, March 22, 1971, at 10 a.m. On March 15, 1971, the Commission vacated the aforesaid hearing date and set the hearing to be held in the Courtroom of the Probate Division, Otero County Courthouse, La Junta, Colorado, on Tuesday, May 11, 1971, at 10 a.m. The hearing was held at the said time and place.

Exhibits numbered 1, 2, 4, 7, 8, 11, 12, 13, and 14 were tendered and admitted into evidence. Exhibits numbered 3, 5, 6, 9, and 10 were rejected.

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 husband and wife partnership. The partners are Charles L. Sober and Loise B. Sober, doing business as "C. & L. Trash Service."
2. Applicant holds no previously granted authority from this Commission.
3. By this application, Applicant seeks the grant of a certificate of public convenience and necessity authorizing it to operate as a common carrier by motor vehicle for hire for the transportation over

irregular routes of

"ashes, trash, garbage, and other refuse from points in Crowley and Otero Counties, Colorado, to regularly designated dumps and disposal points in the said Counties."

4. Protestant is an individual, one Ermon L. Tyler, doing business as "Fowler Truck Line," and he is the holder of Certificate of Public Convenience and Necessity PUC No. 242, which said authority reads as follows, to-wit:

"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."

The authority of Protestant is in conflict with the authority applied for in the within matter.

5. This Commission has jurisdiction over the Applicant, the Protestant, and the subject matter of this proceeding.

6. Applicant, at the present, owns one half-ton 1970 Chevrolet pickup truck, which is used to provide the transportation services to its customers. As business expands, Applicant intends to purchase a packer truck at the cost of approximately \$7,500. This equipment will be ample and suitable for the operation of the authority applied for herein.

7. Applicant has a net worth of approximately \$17,858, which said sum is ample and sufficient to finance the proposed operations (Exhibit No. 2, Financial Statement of the partnership). Furthermore, Applicant has secured additional financing if the need for such financing should arise.

8. Applicant has been employed for many years as an employee and driver of common carriers by motor vehicle for hire and, for this reason, is familiar with the rules and regulations of the Public Utilities Commission. Applicant promises, if this application is granted, to abide by said rules and regulations, as well as the safety requirements of the Commission. Further, Applicant has or will make adequate provision for insurance.

9. Both partners, Charles L. Sober and his wife, Loise B. Sober, are long-time residents of Fowler, Colorado, which is located in the County of Otero. Both partners are well-familiar with the towns, highways, and locations of dumps and disposal pits in the Counties of Otero and Crowley, State of Colorado.

10. Through the testimony of numerous witnesses, including officials of the County of Otero, businessmen, and homeowners residing in both Counties, Applicant has established that there is a definite need for its proposed services. The evidence of record discloses that, effective July 1, 1971, trash burning in the County of Otero will be severely curtailed. As of the aforesaid date, there can be no more burning of trash whatsoever in the towns of La Junta, Fowler, and Rocky Ford, Colorado. The other towns in said County do not permit commercial burning of trash as of the same date. County health and police officials strongly support Applicant's proposed services.

11. Protestant, Ermon L. Tyler, is the owner of a cartage business operating mainly between Pueblo and Fowler, Colorado, carrying general

freight. For some years, Protestant has supplied ash and trash removal services to some customers in Fowler, Colorado, and, at the present, has 30-plus customers in said city (Exhibit No. 8, partial Customer List of Protestant). Protestant is not advertising the fact that he holds himself out to transport trash and refuse. In fact, the record discloses that numerous residents who testified at the hearing were aware of Protestant and some were using his services as a carrier of merchandise but did not know that he also is holding himself out as a carrier of trash and refuse. The record in the herein matter establishes as a matter of fact that Protestant treats his authority to haul trash and refuse as a pronounced sideline and that less than 10 working hours are spent weekly by one employee to clean out ashpits in the Town of Fowler, Colorado, and to haul away the trash. Furthermore, Protestant did not establish, by competent evidence, what percentage of his total revenues are derived from the hauling of trash and refuse except stating that it is a minor amount. It is found, therefore, that the addition of another carrier of ash, trash, and refuse in the Town of Fowler cannot affect the operations of the Protestant to a degree that could or would render his other services economically unfeasible. The evidence of record further establishes that Protestant does not own or lease a packer truck and that he offers no trash or refuse removal service in the following towns and communities in the Counties of Otero and Crowley, State of Colorado, to-wit: Rocky Ford, North La Junta, Cheraw, and Swink.

12. There is a present and special need for the service as proposed by Applicant.

13. The present or future public convenience and necessity requires or will require the granting of the application 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

O R D E R

THE COMMISSION ORDERS:

1. That Charles L. Sober and Loise B. Sober, doing business as "C. & L. Trash Service," P.O. Box 35, Fowler, Colorado, be, and hereby are, authorized to operate as a common carrier by motor vehicle for hire for the following, to-wit:

Transportation of

Ash, trash, and other refuse

From all points located within an area comprised of the Counties of Crowley and Otero, State of Colorado, to such locations where the same may be lawfully delivered or disposed of;

and this Order shall be deemed to be, and be, a CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY therefor.

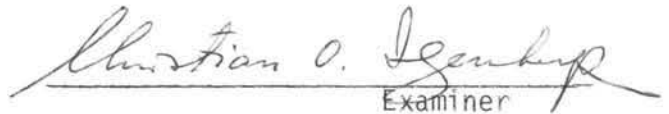
2. That Applicant shall operate its carrier system in accordance with the Order of the Commission, except when prevented by an Act of God, the public enemy, or extreme conditions.

3. That this Order is subject to compliance by Applicant 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
hj

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)
AREAS OF DENVER, BOULDER, BRIGHTON,)
COLORADO SPRINGS, AND PUEBLO, AS)
DESCRIBED; AND BETWEEN POINTS WITHIN)
THE CITIES OF CANON CITY, DURANGO,)
DELTA, GRAND JUNCTION, LONGMONT, MONTE)
VISTA, MONTROSE, OR STERLING, COLORADO)

INVESTIGATION AND SUSPENSION
DOCKET NO. 677

SUPPLEMENTAL ORDER

July 27, 1971

STATEMENT

BY THE COMMISSION:

By Decision No. 77163, dated March 15, 1971, rates, charges and provisions affecting the above described matter were suspended and set for hearing on the 14th day of June, 1971.

By Decision No. 77413, dated April 20, 1971, the Commission permitted certain emergency increases to be effected on a temporary basis, as set forth therein. By Decision No. 77963, dated June 16, 1971, the Commission ordered certain documents be filed therewith, as set forth therein, on or before June 21, 1971, and further, hearing was set to be continued on July 1, 1971.

The matter has now been taken under advisement by the Hearing Examiner and sufficient time does not remain in this suspension to enter a recommended order.

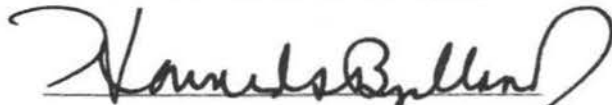
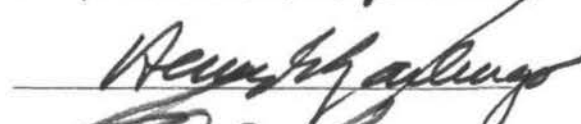

Pursuant to the provisions of 115-6-11 (1) of the Statutes Governing Public Utilities, the Commission finds that the 120-day suspension period ending July 29, 1971, should be extended for an additional ninety (90) days or until October 27, 1971.

O R D E R

THE COMMISSION ORDERS:

1. That the Statement and Findings herein be incorporated herewith.
2. That the suspension period in Investigation and Suspension Docket No. 677 be extended from July 29, 1971, for an additional period of ninety (90) days to and including October 27, 1971.
3. That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
27th day of July, 1971. av

(Decision No. 78262)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION)
OF KANSAS-NEBRASKA NATURAL GAS)
COMPANY, INC., FOR CHANGE IN THE)
TARIFF PROVISIONS AND AN INCREASE)
IN ITS GGS-1, GGS-4, IGS-1, IGS-2)
AND IGS-3 RATES, FOR AN INCREASE)
IN ITS GGS-2 RATE, AND FOR CHANGE)
IN THE TARIFF PROVISIONS IN ITS)
GGS-3 RATE.)

APPLICATION NO. 25047

ORDER GRANTING INTERVENTION AND
DENYING MOTION FOR EXTENSION OF TIME

- - - - -
July 28, 1971
- - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The above-entitled application was filed on June 14, 1971, and has been set for hearing on Monday, August 23, 1971.

On July 19, 1971, a pleading entitled "Notice of Intervention of Certain Colorado Irrigators and Motion for Extension of Time" was filed by Thompson, Ozman and King; Raphael J. Moses; and John J. Conway, attorneys for and in behalf of forty-six (46) customers of Applicant listed on Exhibit A of the above-mentioned pleading. By this pleading they (1) seek to intervene in this proceeding; (2) request an extension of time until September 10, 1971, for filing a formal protest herein, should they so desire; and (3) request that the hearing heretofore set for August 23, 1971, be restricted to the direct case of the Applicant with cross-examination and presentation of Intervenor's evidence deferred for approximately thirty (30) days or until September 20, 1971.

In part, the pleading is in the nature of a petition for leave to intervene and the Commission has elected to treat it as such. The Commission finds that the persons named in said Exhibit A attached to the above-described pleading, hereafter referred to as the Colorado Irrigators,

are persons who may or might be interested in or affected by an order which may be entered in this proceeding and that intervention should be authorized.

The Commission further finds that no good cause has been shown why the Intervenor should be granted an extension of time for filing a protest nor why the cross-examination of Applicant's witnesses and presentation of Intervenor's evidence, if any, should be deferred; but that Intervenor should not be precluded from renewing their motion with respect to the latter issue at the time of the hearing.

The Commission concludes that the following Order should be entered.

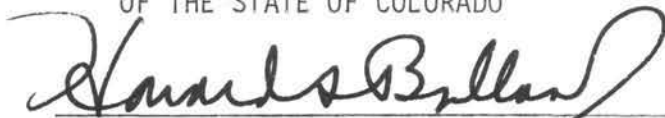
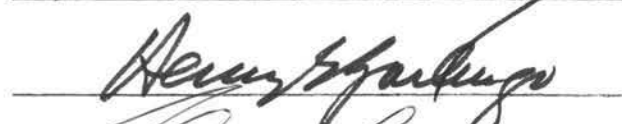

O R D E R

THE COMMISSION ORDERS THAT:

1. The Colorado Irrigators be, and hereby are, granted leave to intervene in the above-entitled matter.
2. The Intervenor's Motion for Extension of Time for filing protest be, and hereby is, denied.
3. Intervenor's motion to defer cross-examination of Applicant's witnesses and presentation of Intervenor's evidence, if any, until September 20, 1971, be, and hereby is, denied, with leave granted to renew such motion at the time of the hearing of this application.

This Order shall be effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
28th day of July, 1971.

vjr

(Decision No. 78263)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
KANSAS-NEBRASKA NATURAL GAS COMPANY,)	APPLICATION NO. 25101-Securities
INC., FOR AN ORDER AUTHORIZING THE)	
ISSUE AND SALE OF DEBENTURES.)	
)	

July 28, 1971

Appearances: Lee, Bryans, Kelly and Stansfield, Esqs.,
Denver, Colorado, by
Donald D. Cawelti, Esq.,
for Applicant; and
Girts Krumins, Esq., Denver, Colorado,
for the Staff of the Commission.

PROCEDURE AND RECORD

Kansas-Nebraska Natural Gas Company (Applicant) filed Application No. 25101-Securities with this Commission on July 6, 1971. By such application, Applicant seeks authority of this Commission to issue and sell Sinking Fund Debentures, due 1991, in the principal amount of \$15,000,000. Said application was set for hearing, after due notice to all interested persons, firms or corporations, at 2 p.m. on Thursday, July 22, 1971, in the hearing room of the Commission, 507 Columbine Building, 1845 Sherman Street, Denver, Colorado, and was there heard by Commissioner Edwin R. Lundborg and taken under advisement.

No petitions were filed in opposition to the application and no one appeared at the hearing opposing the authority sought by the application.

Applicant's exhibits identified as 1, 2, 3, 4, 5, 6, 7, 8, and 9 were offered and admitted into evidence.

FINDINGS OF FACT

From the record herein, the Commission finds as fact that:

1. Applicant, Kansas-Nebraska Natural Gas Company, is a public utility as defined in Chapter 115-1-3, Colorado Revised Statutes, 1963.

2. Applicant is a corporation existing under and by virtue of the laws of the State of Kansas and is qualified to do business in the State of Colorado. Its principal place of business in Colorado is located in the City of Sterling, and its principal executive offices are at Phillipsburg, Kansas.

3. Applicant is directly engaged in the public utility business in the states of Kansas, Nebraska, Colorado and Wyoming, and is a natural gas utility, transporting and distributing natural gas from and in the states of Kansas, Nebraska, Colorado and Wyoming. It also conducts certain natural gas pipeline operations in Texas and Oklahoma, from which it obtains a portion of its gas supply. In Colorado, pursuant to certificates of public convenience and necessity issued by this Commission, Applicant distributes natural gas at retail in the towns of Akron, Eckley, Fleming, Haxtun, Holyoke, Iliff, Julesburg, Otis, Ovid, Paoli, Wray, and Yuma, and in the rural areas adjacent to its pipelines in Washington, Logan, Phillips, Sedgwick and Yuma Counties, Colorado; Applicant also delivers gas to the town border stations of the towns of Sterling and Atwood for distribution therein by Iowa Electric Light and Power Company.

4. This Commission has jurisdiction over the Applicant and the subject matter of this application.

5. Applicant has heretofore executed and delivered a certain Indenture dated February 1, 1948, and proposes to execute a Supplemental Indenture thereto to be dated as of August 1, 1971, to the Continental Illinois National Bank and Trust Company of Chicago, Illinois, as Trustee, which authorizes the issuance of said Debentures. In accordance with the terms of the Indenture, it is contemplated that the Debentures of Applicant in the aggregate principal amount of \$15,000,000 will be issued under and in accordance with the terms of said Indenture and Supplemental Indenture.

6. Applicant incurred short-term bank loans to finance the carrying out of its corporate powers including its 1970-71 construction program and that the proceeds of the Debentures will be used to retire

approximately \$15,000,000 (before expenses) of said short-term loans. After giving effect to the issuance of \$15,000,000 Sinking Fund Debentures, due 1991, as herein applied for, the aggregate principal amount of funded indebtedness of the Company which will be outstanding after the issuance of said Debentures will be 51.5% of the total capital structure of the Company; and that earnings are adequate to cover interest on all long-term debt, debentures and funded debt.

7. The annual sinking fund requirements of the \$15,000,000 Sinking Fund Debentures, due 1991, are payable on July 31 of each year and will be in the annual amount of \$200,000 per year for the years 1972 to 1977, inclusive; \$450,000 per year for the years 1978 to 1982, inclusive; \$800,000 per year for the years 1983 to 1986, inclusive; \$1,600,000 per year for the years 1987 to 1988 inclusive; \$1,700,000 per year for the years 1989 to 1990, inclusive; and \$1,750,000 for the year 1991. The Debentures are redeemable on any date prior to maturity, from time to time on notice and in the manner provided for in the Supplemental Indenture dated August 1, 1971, at a premium for the period ending August 1, 1972, and with a gradual reduction each year thereafter to and including August 1, 1991, together with interest thereon to the date of redemption, provided, however, that during the period ending August 1, 1976, no Debentures of this series can be redeemed (other than for sinking fund purposes) from moneys borrowed by Applicant at an interest cost of less than said Debentures.

8. Applicant, by the proposed issuance and sale of Debentures expects to receive approximately \$15,000,000 (before expenses) which will be added to Applicant's general funds and used to retire that amount of its short-term notes which were issued to cover the costs of the 1970 and 1971 construction program to date; additional short-term borrowing may be necessary to cover the balance of Applicant's 1971 construction program.

9. Applicant's construction and financing requirements for the years 1970 and 1971 are estimated to be \$38,206,655 of which \$5,819,573 is for non-utility subsidiaries and \$3,000,000 for acquisition of Southern Gas Company, Longview, Texas. Of the proceeds from the sale of the proposed Debentures, approximately \$330,000 will be used for the purchase and construction of plant facilities in the State of Colorado. As of December 31, 1970, Applicant's utility plant in Colorado totaled \$8,964,990, as compared to that of the total Company utility plant of \$169,396,877.

10. Applicant expects to be able to sell the Debentures at an interest rate of between 8% and 9%. Applicant will negotiate with a group of underwriters to obtain the price and interest rate that will provide it with the lowest annual cost of money. Applicant reserves the right to terminate negotiations and revoke the proposed sale at any time prior to acceptance of an offer from said underwriters.

11. The proposed issue and sale by the Applicant of \$15,000,000 principal amount of Sinking Fund Debentures, as hereinabove set forth, for the purposes of providing funds for refunding presently outstanding short-term obligations of the Company incurred to carry out its corporate powers including construction, completion, extension and improvement of facilities, is consistent with, and permitted by, the provisions of Chapter 115, Colorado Revised Statutes, 1963, and not inconsistent with the public interest and the purpose or purposes thereof, and is reasonably required and necessary for its corporate financing and for the repayment of its indebtedness, as aforesaid.

Since Chapter 115-1-4, Colorado Revised Statutes, 1963, requires that security applications be disposed of within thirty (30) days, the Commission finds that due and timely execution of its functions imperatively and unavoidably requires that the recommended decision of the Hearing Commissioner be omitted and that this decision should be the initial decision of the Commission.

CONCLUSION

It is the conclusion of the Commission that the authorization sought in the instant application is in the public interest and should be granted; and that the following Order should be entered.

O R D E R

THE COMMISSION ORDERS:

1. That Kansas-Nebraska Natural Gas Company, Inc., be, and it hereby is, authorized to issue \$15,000,000 principal amount of Sinking Fund Debentures, due 1991, as authorized by the Indenture dated February 1, 1948, as heretofore supplemented and the Supplemental Indenture dated August 1, 1971, to the Continental Illinois National Bank and Trust Company of Chicago, Illinois, as Trustee, hereinabove described, and to sell such Sinking Fund Debentures at the best price obtainable through negotiation with a group of underwriters but not less than 98% of the principal amount thereof plus accrued interest from August 1, 1971, to date of delivery to be dated August 1, 1971, to mature August 1, 1991, and to bear interest at a rate to be negotiated by Applicant to provide it with the lowest cost of money.

2. That the securities authorized to be sold hereunder shall bear on the face thereof a serial number for proper and easy identification.

3. That the Applicant shall negotiate for the sale of the Debentures authorized hereunder and if agreement is reached, shall, as soon as possible thereafter, file a statement with the Commission showing the stated interest rate, the price to Applicant, and the actual cost of money to Applicant.

4. That the Applicant shall make a certified report to the Commission not later than three months after completion of the sale of the securities heretofore authorized, stating the moneys received therefrom and the detailed expenses incident to such sale, accompanying the same with copies of the entries recorded on the books of the Company as

a result of the consummation of the financing as before provided, and a conformed copy of the Supplemental Indenture dated as of August 1, 1971, pertaining to such securities.

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




6. That nothing herein shall be construed to imply any recommendation or guaranty of, or any obligation with respect to said Sinking Fund Debentures due 1991, on the part of the State of Colorado.

7. That the Commission retains jurisdiction of this proceeding to the end that it may make such further order in the premises as to it may seem to be proper and desirable.

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

That the within Decision and Order shall be the initial Decision and Order of the Commission as provided for in Chapter 115-6-9 (6), CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 28th day of July, 1971,
hbp

(Decision No. 78264)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

EATON INTERNATIONAL CORPORATION,)	
)	
Complainant,)	
)	
vs.	)	CASE NO. 5462
)	
UNIVERSAL TELEPHONE CO. OF)	
COLORADO)	
)	
Respondent.)	

ORDER GRANTING ADDITIONAL TIME
TO SATISFY OR ANSWER

- - - - -
July 27, 1971
- - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On June 23, 1971, Raphael J. Moses, Attorney for Complainant, Eaton International Corporation, filed with the Commission a formal complaint against Universal Telephone Co. of Colorado.

Universal Telephone Co. of Colorado on June 23, 1971, was served a true and correct copy of an Order to Satisfy or Answer the above complaint.

John R. Barry, Attorney for Universal Telephone Co. of Colorado, filed with the Commission on July 26, 1971, a Motion for Additional Time to Satisfy or Answer.

The Commission states and finds that inasmuch as this request is agreeable with Complainant, as stated in Motion, it should be granted as set forth in the Order following.

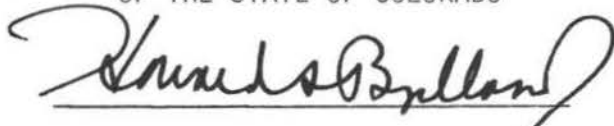


O R D E R

THE COMMISSION ORDERS THAT:

Respondent, Universal Telephone Co. of Colorado, be, and hereby is, granted additional time to satisfy or answer until and including August 2, 1971.

This Order shall be effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 27th day of July, 1971.
js

(Decision No. 78265)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)

WILLIAM A. ROBERTS DBA)
SINTON DAIRY DISTRIBUTOR)
137 Doris Drive Security)
Colorado Springs, Colorado 80911)

AUTHORITY NO. M 7873

CASE NO. 7166-M-Ins.

July 27, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On July 12, 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.

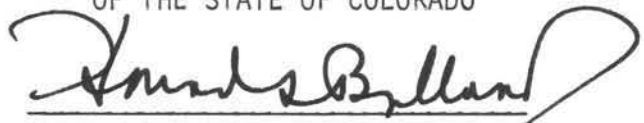
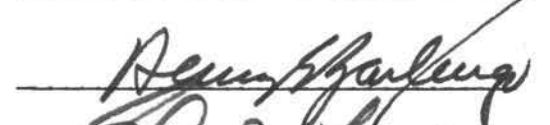
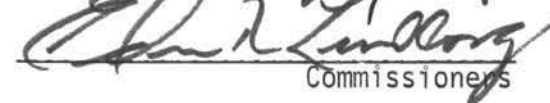
The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

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 27th day of July, 1971

(Decision No. 78266)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
LACLEDE MOTORS, INC.
105 North Washington
Lebanon, Missouri 65536

AUTHORITY NO. M 12608

CASE NO. 7244-M-Ins.

July 27, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On July 26, 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.

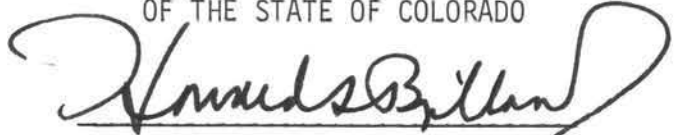
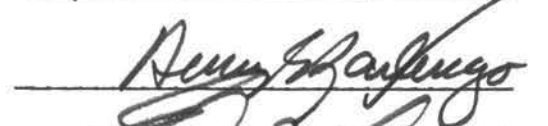

The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

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 27th day of July, 1971 .

(Decision No. 78267)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE COUNTY OF BOULDER FOR AUTHORITY)
TO INSTALL GRADE CROSSING PROTECTION)
DEVICES AT MILE POST 42.66 OF THE) APPLICATION NO. 25007
BURLINGTON NORTHERN RAILROAD COMPANY)
SITUATE IN THE COUNTY OF BOULDER,)
STATE OF COLORADO -- COUNTY ROAD 31.)

- - - - -
July 28, 1971
- - - - -

Appearances: James G. Martin, County Attorney,
Boulder, Colorado, for Applicant;
Willard L. Peck, Esq., Denver,
Colorado, for Burlington Northern, Inc.;
J. L. McNeill, Denver, Colorado,
of the Staff of the Commission.

PROCEDURE AND RECORD

On April 26, 1971, Applicant, under the provisions of 115-4-6, CRS 1963, as amended, filed the above-entitled application seeking an order of this Commission authorizing installation, construction, operation, and maintenance of automatic grade crossing protection devices at the grade crossing of Boulder County Road 31 (75th Street) over the Lyons Branch Spur track of Burlington Northern, Inc., at Mile Post 42.66, near Hygiene, Colorado, and to therewith also secure financial assistance of the Public Utilities Commission Highway Crossing Protection Fund for the proposed work.

The Commission assigned No. 25007 to the application. Pursuant to law, the Commission designated Harry A. Galligan, Jr., as Examiner for the purpose of conducting a hearing on this application. After due and proper notice to interested persons, firms, or corporations, and to the owners of adjacent property, the matter was set for hearing to be held in

the County Commissioners Room, Courthouse, Boulder, Colorado, on July 7, 1971, at 10 a.m. The hearing was held at the aforesaid time and place.

In considering preliminary matters at the hearing, it was determined there were no public witnesses and no objections appear in the Commission file.

Testimony in support of the application was given by the following:

George Van Booven - County Commissioner - Boulder County;

William B. Barstow - County Engineer - Boulder County;

Robert C. Gustafson - Division Engineer, McCook-Alliance Division - Burlington Northern, Inc.;

M. R. Roberts - Signal Engineer, Omaha, Nebraska - Burlington Northern, Inc.;

Applicant's exhibits were tendered and admitted into evidence as follows:

Exhibit A - County Road 31

Description of proposed crossing work. Signal expenses proposed to be shared as follows:

Boulder County 10% - B-N RR 10% - State 80%

Exhibit B - County Road 31

Proposed cost estimate of Boulder County.

Exhibit C - Traffic data - vehicles, trains, school buses.

Exhibit D - Sketch Map of property ownership adjacent to the crossing.

Exhibit E - Map sketch of crossing layout and notes for proposed signal work.

Exhibit F - Reduced size Boulder County Road Map to show crossing location and related highways.

Exhibit G - Aerial photo map sheet to show Hygiene townsite, County Road No. 31 (N. 75th Street) and Burlington Northern Railroad grade crossing at Mile Post 42.66.

Exhibit H - Photocopy of Minutes of Meeting by Board of Boulder County Commissioners on April 19, 1971, to authorize and submit instant application to this Commission.

Exhibit I - Copy of fully executed Agreement dated May 3, 1971, between Burlington Northern, Inc., and Board of County Commissioners of Boulder County pertaining to signals at Mile Post 42.66 of the Lyons Spur.

Includes Exhibit "A" - Location Map and Exhibit "B" - Drawing of Highway Signal.

Exhibit J - Detailed Estimate of Costs for automatic flashing light signal installation at Mile Post 42 + 3496', Hygiene, Colorado -- By Office of Director, Signal Engineering, Burlington Northern, Inc., St. Paul, Minnesota,
Dated - April 1, 1971
Net cost of Project - \$12,994.

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

Pursuant to the provisions of Chapter 115, Article 6, Section 9, Subparagraph (6), Colorado Revised Statutes (1963), as amended, the recommended decision of the Examiner is omitted for the reason the Commission finds upon the record that due and timely execution of its functions imperatively and unavoidably requires that the Commission make this its initial decision.

FINDINGS OF FACT

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

1. The purpose of this application is to secure Commission approval for the proposed installation and maintenance of protection devices consisting of automatic flashing light railroad signals and bell; all at a grade crossing of Boulder County Road No. 31 (N. 75th Street) over the Lyons Branch spur track of Burlington Northern, Inc., at Railroad Mile Post 42.66, Boulder County, Colorado, and for an allocation of the cost for said protection devices and installation in accordance with the provisions of 115-4-6, CRS 1963, as amended, relating to financial assistance through the Commission Highway Crossing Protection Fund.

2. The Commission has jurisdiction over the instant matter.

3. No one appeared at the hearing to intervene or to protest the granting of the authority as requested.

4. The instant parties have entered into an Agreement for the proposed signal work (Exhibit No. 1) and for which the estimated cost is \$12,994.

5. The instant County Road is a part of the Boulder County Road System. County funds in the amount of 10% of the estimated protection cost have been budgeted as the County share thereof.

6. The County Road No. 31, also known locally as 75th Street, is a north-south arterial road through Hygiene at about one mile west from the Longmont City limits. From an intersection with Colorado Highway No. 66 at one mile north from Hygiene, the road is asphalt paved and extends south through a long established agricultural area for some seven miles to the new I.B.M. industrial development and a connection with the Boulder-Longmont Diagonal Highway (Colo. No. 119) near Niwot.

7. On the basis of a grade crossing survey and inventory data of 1969 and 1970, the Board of Boulder County Commissioners and its County Engineering division have established a program of warning signal installations and roadway improvements at existing highway/railroad grade crossings. The new work is needed to meet safety demands of constantly increasing vehicular traffic resulting from new residential and industrial developments in the County and particularly in the Boulder-Longmont region.

8. There is a mixed traffic flow at the instant crossing on 75th Street of farm vehicles, autos and trucks amounting to some 1200 vehicles daily, with the addition of 21 school buses during the school term. The rail crossing is on a 60° northwest-southeast diagonal, with some southbound visibility limitation due to down-grade approach of the roadway. Speeds are variable from slow moving farm equipment, through the posted limit of 30 miles per hour, and into higher speeds of 40 and 45 miles per hour.

9. The Burlington Northern Lyons Spur is a carload service and switching line which extends in a northwesterly direction through the local Longmont-Hygiene area to a rock quarry and cement loading terminal some five miles west of the crossing at Lyons, Colorado. There is no passenger operation on the line. Two movements daily, except Sunday, are made over the crossing with future prospects of additional traffic from a new cement plant recently constructed east from Lyons. Operating speed is 20 miles per hour.

10. Plans for new work at the crossing involve widening of the roadway shoulders and still maintain two 12-foot asphalt paved traffic lanes. Crossing repairs as needed and additional ballast or track raise will be made to accommodate roadway construction for improved grade line over the single track.

11. Protection recommended for the crossing is removal of a single old-style metal crossing sign and installation of two automatic flasher type railroad signal devices. A separate signal unit is to be placed near the roadway shoulder on each approach to the track crossing. It will consist of a curbside mast with reflectorized crossbuck sign and double red flasher lights to show a warning along the roadway at each crossing approach. One signal mast will have a bell. Track circuiting is designed to provide a minimum warning time of 20 seconds before the approach of a train from either direction.

12. Ordering of materials for the proposed signal devices is a railroad management function which is subject to previous Commission approval or changes of the proposed work. Expedited handling of management approval, material ordering and signal installation was pledged in order to hasten early completion of the work as authorized.

13. No part of the cost for proposed signal devices will be paid from funds available under a federal or federal-aid highway act.

14. Burlington Northern, Inc., will provide all maintenance for the signal devices following installation.

15. On the basis of a rising trend of vehicular traffic in the Hygiene area, there is a sincere concern for public safety on the part of local residents, Boulder County Commissioners, and the railroad. Installation of the proposed signal devices will provide increased public safety for rail, vehicular, school bus and pedestrian traffic at the crossing. Accidents may be prevented and the safety of the public will be promoted by installation of automatic flasher signals and bell as proposed herein.

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. Such devices as herein contemplated are required so as to promote the public safety.

2. The order sought in the instant application should be granted and the actual costs prorated as follows:

Ten percent (10%) to the County of Boulder;

Ten percent (10%) to Burlington Northern, Inc.; and

Eighty percent (80%) to the Commission Highway Crossing Protection Fund.

3. Continuing maintenance work should be performed by Burlington Northern, Inc., at its own expense for the life of the crossing so protected.

4. The signal devices and installation shall be in conformance with the current bulletin of the Association of American Railroads' Joint Committee on Railroad Crossing Protection.

5. As provided by 115-6-9 (6), CRS 1963 amended, the authority 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. Burlington Northern, Inc., upon the application of Boulder County, State of Colorado, be, and hereby is, authorized and directed to install, operate, and maintain standard automatic railroad bell and flashing light grade crossing protection devices for the County Road grade crossing over the Lyons Branch Spur track at Mile Post 42.66 of Burlington Northern, Inc., Boulder County, Colorado, in accordance with the plans and

specifications which are incorporated into the record of this proceeding and which are hereby approved.

2. The installation and maintenance of the crossing protection devices shall be done by Burlington Northern, Inc., as set forth in the Agreement (Exhibit I) entered into by the parties herein, which Agreement, by reference, is made a part hereof. Estimated cost is \$12,994.

3. A fair, just and equitable distribution of the total actual cost of the installation of the proposed automatic railroad flashing light signals and bell shall be as follows:

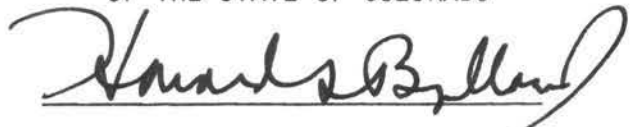


- (a) Boulder County to pay ten percent (10%) thereof to cover its share of benefits received from such installation. Upon completion of the proposed work, an itemized statement of the actual costs, and a bill covering said 10 percent shall be forwarded by Burlington Northern, Inc., to Boulder County, which bill shall be paid to Burlington Northern, Inc., within thirty (30) days of receipt thereof.
- (b) Burlington Northern, Inc., shall contribute out of its own funds ten percent (10%) of the cost of said installations and shall thereafter maintain said crossing devices to cover its 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 cost and a bill covering such 80 percent shall be forwarded by Burlington Northern, Inc., to the Commission, which bill shall be paid within thirty (30) days after receipt thereof.

4. 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.

5. The Commission hereby retains jurisdiction to make such further order or orders as may be required in the instant matter.

6. 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 28th day of July, 1971.
js

(Decision No. 78268)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: THE FAILURE OF CERTAIN CORPORATIONS,)
PARTNERSHIPS, AND/OR PERSONS TO COMPLETE)
ACTIONS INSTITUTED BEFORE THE COMMISSION)
FOR AUTHORITY TO OPERATE AS COMMERCIAL)
CARRIERS BY MOTOR VEHICLE (NOT FOR HIRE))
OVER THE PUBLIC HIGHWAYS OF THE STATE OF)
COLORADO.)

- - - - -
July 29, 1971
- - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The files and records of the Commission disclose that the hereinafter stated corporations, partnerships, and/or persons as specifically set forth in the Order part of this Decision have paid to the Commission the required filing fee for authority to operate as commercial carriers by motor vehicle (not for hire) over the public highways of the State of Colorado, but have either (1) failed to file an application requesting such authority, or (2) have failed, after filing an application for such authority to file either a request for identification cards or the required certificate of insurance -- all of which is required by law and the Commission's Rules and Regulations Governing Commercial Carriers by Motor Vehicle.

The files and records of the Commission -- in addition to the above -- further disclose that all of said corporations, partnerships, and/or persons have previously been duly notified by the Commission of their failure to comply with one or more of the above specifically stated items.

The Commission states and finds that all actions heretofore insituted before the Commission by the corporations, partnerships, and/or persons as listed in the Order part of this Decision should be dismissed.

O R D E R

THE COMMISSION ORDERS:

That all actions heretofore instituted by the following corporations, partnerships, and/or persons before this Commission to obtain authority to operate as commercial carriers by motor vehicle (not for hire) over the public highways of the State of Colorado be, and the same hereby are, dismissed:

D. O. Iliff and Charles A. Iliff dba Aircraft Repair & Service	Hanger 17, International Airport, Tulsa, Oklahoma 74111
Mr. Preston W. Allen	P. O. Box 306, Minden, Nevada 89423
J. D. Harmon and D. C. Harmon dba Allstate Transit Mix	Box 1936, Farmington, New Mexico 87401
American Paper Company	Kolburn Street, Fall River, Massachusetts 02720
Ardco	Preston, Idaho 83263
Foy L. Armstrong dba Armstrong Farms	Box 225, Moriarty, New Mexico 87035
Aunt Martha's Foods, Inc.	5969 North Broadway, Denver 80216
B and R Lumber & Supply Co.	Box 752, Show Low, Arizona 85901
Luke E. Arnett dba Bar L Mobile Home Sales & Service	3956 South Broadway, Wichita, Kansas 67200
Barcelona Cash Lumber	P. O. Box 12247, Albuquerque, New Mexico 87103
Luther J. Sullins dba Barkers Foreign Car Salvage	1705 East Las Vegas, Colorado Springs 80906
Richard F. Sena and Edwin A. Sena dba Frank Bellmann Service	1295 South Sheridan Boulevard, Denver 80226
Mr. Jervis C. Bemus	Box 182, Yampa, Colorado 80483
Francis Wakasugi dba Blanca Equipment	P. O. Box 8, Blanca, Colorado 81123
Boos Grain & Fertilizer Inc. dba Boos Grain & Fertilizer	P. O. Box 933, Fort Morgan 80701
Bowling Enterprises Inc. dba Bowling Galleries	P. O. Box 1607, Fort Collins 80521
Mr. J. C. Boyd, Jr.	P. O. Box 123, Gunnison, Colorado 81230

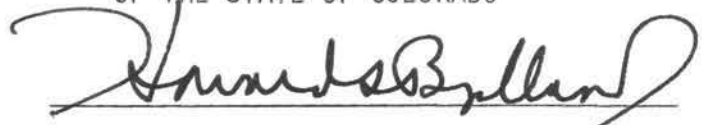
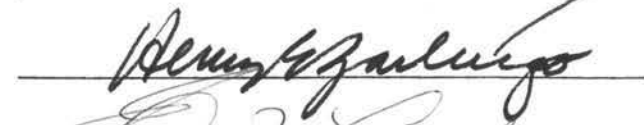
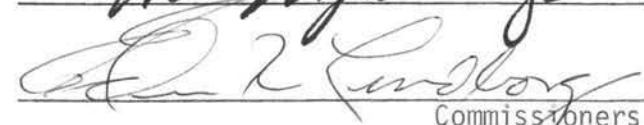
Mr. James H. Bradley	Box 689, Hereford, Texas 79045
Mr. Gary Brooks	Route 1, Box 157, Dalhart, Texas 79022
Robert Brown dba Brown Hay and Feed	6004 Cerrillos Road, Santa Fe, New Mexico 87501
Buckeye Corporation	P. O. Box 1020, El Dorado, Kansas 67042
Mr. Frank Buckley	109 South Tejon Street, Colorado Springs 80905
James L. Cullen dba C and W Construction Company	Box 973, Steamboat Springs, Colorado 80477
Constantino Chairez dba Connie Built Homes	1260 Howard Street, Delta, Colorado 81416
Continental Trailer Sales	R.R. 3, Box 16, Goshen, Indiana 46526
Eugene Potestio and Vincent Potestio and Konrad Gerlock dba Cooney's Water Service	Box 134, Avondale, Colorado 81022
Del-Tex, Inc.	515 Caddo Street, San Angelo, Texas 76901
Mr. Howard Y. Diamond	802 Santa Fe Drive, Denver 80204
Mr. R. M. Dressel	119 North Division, Sterling 80751
Elk River Homes, Inc.	Route 1, Box 164B, South West City, Missouri 64863
Ellijay Carpet Industries, Inc.	P. O. Box 546, Ellijay, Georgia 30540
Elmer L. Meltebake and Lois C. Meltebake dba Elmer's Trailer Sales	17250 S.E. McLoughlin Boulevard, Milwaukie, Oregon 97222
Berta Lee Walker dba Farmington Sand & Gravel	Box 629, Farmington, New Mexico 87401
Richard R. Streit dba Full-Energy Beans Processing Co.	Riverton, Nebraska 68972
Gibson Lumber Co., Inc.	4100 - 4th Street, N.W., Albuquerque, New Mexico 87107
Gibson Products Company of Lamar dba Gibson's	East Highway 50, Salida, Colorado 81201
Gold Shield Caskets, Inc.	P. O. Box 31, Crane, Missouri 65633
Goodpasture, Inc.	902 West Broadway, Brownfield, Texas 79316
Guerdon Industries, Inc.	P. O. Box 5188, Boise, Idaho 83705

Hanover Mfg., Inc.	1825 Joyce Avenue, Columbus, Ohio 43219
Zane F. Lanzton dba Hanover Manufacturing Co.	P. O. Box 3987, Bryan, Texas 77801
Carl Thompson and Dorothy Thompson dba Harris Park Lumber & Hardware	Route 3, Harris Park, Colorado
Mr. Jose Luis Hernandez	P. O. Box 536, Edcouch, Texas 78538
Ireco Industries, Inc.	1300 Bethel Drive, Eugene, Oregon 97402
Jay Parker dba J and A Firewood Supply	Box 2177, Aspen, Colorado 81611
Virgil J. Spaccamonti and Johnny C. Spaccamonti dba J & J Excavating	Route 1, Box 730, Pueblo, Colorado 81004
Mr. Lloyd J. Jernigan	2310 Dell Range, Cheyenne, Wyoming 82001
Mr. Jim Jikowski	Route 1, Juniata, Nebraska 68955
Roy L. Johnson dba Johnson Construction Company	Box 587, Ulysses, Kansas 67880
Lanco Sales, Inc.	5211 East Pawnee, Wichita, Kansas 67218
Lone Star Ford Truck Sales, Inc.	703 Slaton Road, Lubbock, Texas 79406
Mac's Mobile Homes	10104 Central, S.E., Albuquerque, New Mexico 87102
Metal-Fab, Inc.	P. O. Box 1138, Wichita, Kansas 67201
Metro Oil Products, Inc.	85 West 2100 South, Salt Lake City, Utah 84104
David Gressett dba Monticello L. P. Gas	Box 157, Monticello, Utah 84535
Mountain Valley Milk, Inc., dba Mountain Valley Hay	1419 Fetterman, Colorado Springs 80915
Osborne Grain, Inc.	Box 367, Osborne, Kansas 67473
Ozark Casket Supply, Inc.	2420 East Blaine, Springfield, Missouri 65805
Fremont Beverages, Inc., dba Pepsi-Cola Bottling Company	P. O. Box 18, Worland, Wyoming 82001
Price Rite Lumber	5443 East Washington, Phoenix, Arizona 85000
Mr. Cornelius Puckett	Alamo Star Route, Box 22, Walsenburg 81089
Mr. Joe D. Ray	Box 135, Portales, New Mexico 88130
Garland W. Reider and Vicky Reider dba Reider Septic Tank & Precast Concrete Products	Box 44, Ignacio, Colorado 81137

John B. Scoggins and James E. Boots dba Rice Lumber Company	Box D, Ouray, Colorado 81427
J. M. Roberts and Geraldine Roberts dba Roberts Beauty & Barber Supply	112 South Orchard, Farmington, New Mexico 87401
Morris Barenburg dba Rolling Snack Bar	2919 East 42nd Avenue, Denver 80216
Walter Derrick Newsom dba S and W Wood Company	P. O. Box 32, Drake, Colorado 80515
Sioux Honey Association	509 Lewis Boulevard, Sioux City, Iowa 51107
Smith Brothers Pipe and Supply	1407 Garden City Hiway, Midland, Texas 79701
Spudnik Equipment Co.	1250 West Bridge Street, Blackfoot, Idaho 83221
Mr. Marvin N. Stein	115 East 4th Street, Pueblo, Colorado 81002
Marvin Morgan and Marion Locklear dba Tex Shamrock	1350 East 4th Street, Pueblo 81001
Jerry Wayne Thompson dba Thompson and Company	P. O. Box 357, Arvada, Colorado 80002
Mr. Dale Trujillo	8312 Loma Terrace, El Paso, Texas 79907
Truog Mfg. Corp.	1600 Oakland, Kansas City, Missouri 64126
Ute Indian Tribe and Richard N. Jones dba Utefab Ltd.	P. O. Box 128, Fort Duchesne, Utah 84026
Richard L. Cannady dba Bob White Target Co.	Box 187, Ottawa, Kansas 66067
John E. White and Frank E. White dba White's Welding Service	P. O. Box 638, Durango, Colorado 81301

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
29th day of July, 1971.

vjr

(Decision No. 78269)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
JOE TORRES & VINCENT ORNELAS,)
DOING BUSINESS AS "TORRES-ORNELAS")
P.O. BOX 592)
AURORA, COLORADO 80010)

PERMIT NO. B-7491

July 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 Commission is now in receipt of a communication from the above-named carrier requesting that said authority be reinstated.

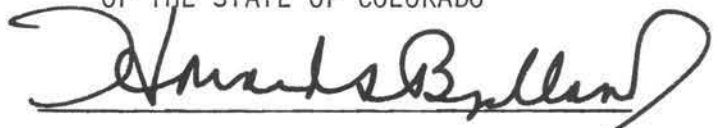


The Commission finds that the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, reinstated as of July 27, 1971.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 28th day July, 1971.
js

(Decision No.78270)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
HERB CROMER, 608 COOK DRIVE, FORT)	APPLICATION NO. 25125-PP-TA
COLLINS, COLORADO, FOR TEMPORARY)	
AUTHORITY TO OPERATE AS A CLASS "B")	ORDER GRANTING TEMPORARY AUTHORITY
CONTRACT CARRIER BY MOTOR VEHICLE.)	

- - - - -
July 29, 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.

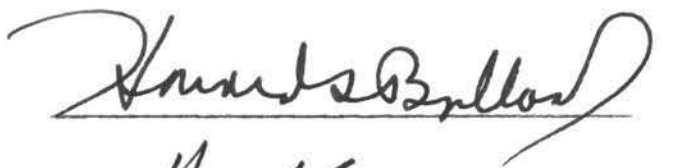


It is further ordered, That upon the authority herein granted
becoming effective, failure of the Applicant to maintain compliance
with statutory and Commission requirements shall constitute sufficient
grounds for suspension, change or revocation of the said authority.

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 29th day of July, 1971.
hbp

(Decision No. 78270)
July 29, 1971

APPENDIX

Application No. 25125-PP-TA

Herb Cromer
608 Cook Drive
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

- (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. 78271)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
A. L. PRITSCHAU, 6687 ARAPAHOE) PUC NO. 4766
ROAD, BOULDER, COLORADO 80301.)

July 29, 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 A. L. Pritschau, doing business as "Town & Country Disposal," in the conduct of operations under PUC No. 4766.

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

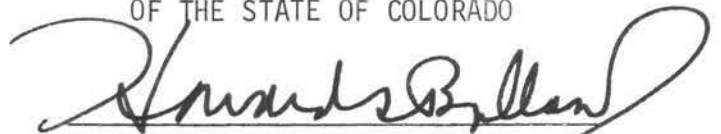


O R D E R

THE COMMISSION ORDERS:

That A. L. Pritschau be, and hereby is, authorized to conduct operations under the name and style of A. L. Pritschau, doing business as "Town & Country Disposal," in the conduct of operations under PUC No. 4766, 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 29th day of July, 1971.
hj

(Decision No. 78272)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
JAMES L. DONNEL AND MARY M. DONNEL,
DOING BUSINESS AS "DONNEL TRASH
SERVICE," 1300 PONDEROSA DRIVE,
FORT COLLINS, COLORADO, FOR TEMPORARY
AUTHORITY TO EXTEND OPERATIONS UNDER
CERTIFICATE OF PUBLIC CONVENIENCE AND
NECESSITY PUC NO. 4057.

)
)
) APPLICATION NO. 25119-Extension-TA
)
) ORDER DENYING TEMPORARY AUTHORITY
)
)

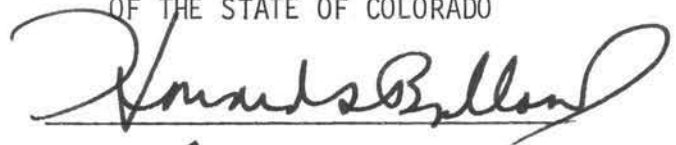


- - - - -
July 29, 1971
- - - - -

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

It appearing, That the Applicants have not shown that there is an
immediate and urgent need for the relief herein sought.

It is ordered, That the application for temporary authority be, and
is hereby, denied.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 29th day of July, 1971.
hj

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF INCREASED RATES)
AND CHARGES FOR THE TRANSPORTATION)
OF HOUSEHOLD GOODS BETWEEN POINTS)
IN THE STATE OF COLORADO WHEN)
SHIPMENTS ARE FOR LESS THAN THIRTY)
(30) MILES)
-----)

Investigation and Suspension
Docket No. 675

IN THE MATTER OF INCREASED RATES)
AND CHARGES FOR THE TRANSPORTATION)
OF HOUSEHOLD GOODS BETWEEN POINTS)
IN THE STATE OF COLORADO WHEN)
SHIPMENTS ARE IN EXCESS OF THIRTY)
(30) MILES)
-----)

Investigation and Suspension
Docket No. 676

SUPPLEMENTAL ORDER

July 28, 1971

STATEMENT AND FINDINGS

BY THE COMMISSION:

By Decision No. 78229, dated July 21, 1971, Robert L. Pyle, Examiner, entered his Recommended Decision in the above described investigations, scheduled to become effective under the provisions of 115-6-9 (2), CRS 1963, within twenty (20) days after service upon the parties or within such extended period of time as the Commission may authorize in writing.

It now develops that the effective date of the "Recommended Order" will extend beyond the 120 days provided in 115-6-11 (1), CRS 1963, as amended, and the suspension period will run out.

On July 26, 1971, Joseph F. Nigro, Attorney for Motor Vehicle Carriers of Household Goods shown as participating carriers in CMCA Local Household Goods Tariff No. 2, Colorado PUC No. 17, and Tariff No. 25, Colorado PUC No. 23, filed a "Waiver of Exceptions and Petition for Recommended Rates to Become Effective" on July 28, 1971, or as soon thereafter as said tariff may be filed.

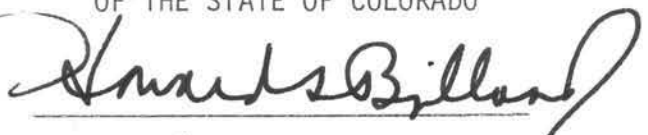
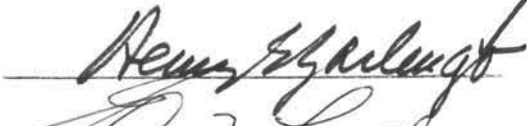
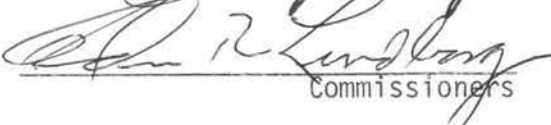
Pursuant to the provisions of 115-6-11 (1) the Commission, at its own discretion, finds that the period of suspension should be extended for a further period of ninety (90) days. The Commission finds also that the petition to "Waive Exceptions and permit Recommended Decision to become effective" on July 28, 1971, or as soon thereafter as said tariff may be filed, should be denied.

O R D E R

THE COMMISSION ORDERS:

1. That the Statement and Findings herein be, and same are hereby, incorporated herein.
2. That the suspension period in Investigation and Suspension Dockets Nos. 675 and 676 be extended to and including October 27, 1971.
3. That petition to "Waive Exceptions and permit Recommended Decision to become effective" on July 28, 1971, or as soon thereafter as said tariff may be filed, is denied.
4. That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
28th day of July, 1971. av

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
PREMIER TRAILER COMPANY, INC.)
Post Office Box 713)
Chickasha, Oklahoma 73018)

AUTHORITY NO. M 8838
CASE NO. 7231-M-Ins.

July 28, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On July 26, 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.

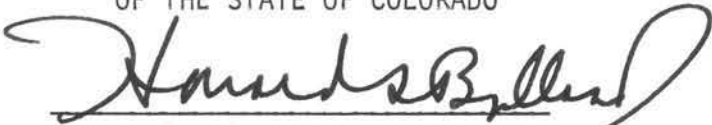


The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

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 28th day of July, 1971

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
J. & B. CONSTRUCTION CO., 1395 SOUTH)	
MILWAUKEE STREET, DENVER, COLORADO,)	APPLICATION NO. 25115-PP-Transfer-TA
FOR TEMPORARY APPROVAL TO CONDUCT)	
OPERATIONS UNDER CONTRACT CARRIER)	ORDER GRANTING TEMPORARY APPROVAL
PERMIT NO. B-4390 PENDING THE)	
DETERMINATION OF THE APPLICATION)	
TO ACQUIRE SAID PERMIT.)	

- - - - -
July 29, 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 Contract Carrier
Permit No. B-4390 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 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 Transferee
has received notice in writing from the Commission that compliance has
been effected and service may be instituted.

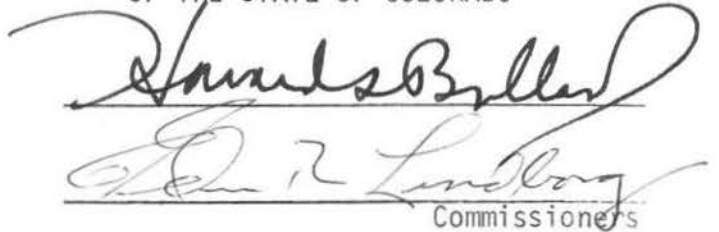
It is further ordered, That upon the approval herein granted
becoming effective, failure of the Transferee to maintain compliance with

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 HENRY E. ZARLENGO NECESSARILY
ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado, this
29th day of July, 1971.
vjr

(Decision No. 78275)
July 29, 1971

APPENDIX

Application No. 25115-PP-Transfer-TA

J. & B. Construction Co.
1395 South Milwaukee 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 APPROVAL 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 approval to conduct operations under Contract Carrier Permit No. B-4390 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: Item Nos. 1, 2, 3, and 4 of the temporary approval are restricted against the use of tank vehicles when transporting road-surfacing materials.

(5) Clay

From pits in the State of Colorado to The Robinson Brick and Tile Company, Denver, Colorado."

(Decision No. 78276)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
ERNIE A. SCHADE, DOING BUSINESS AS)	
"PROFESSIONAL BUILDING MOVERS,")	APPLICATION NO. 25140-Extension-ETA
1515 WEST 17TH STREET, PUEBLO, COLO-)	
RADO, FOR EMERGENCY TEMPORARY AUTHOR-)	ORDER GRANTING EMERGENCY TEMPORARY
ITY TO EXTEND OPERATIONS UNDER)	AUTHORITY
CERTIFICATE OF PUBLIC CONVENIENCE)	
AND NECESSITY PUC NO. 2100.)	

- - - - -
July 29, 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 lack of available transporta-
tion service to satisfy shippers' needs.

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

It is ordered, That Ernie A. Schade, doing business as
"Professional Building Movers," 1515 West 17th Street, Pueblo, Colorado,
be, and is hereby, granted emergency temporary authority for a period of
fifteen (15) days commencing July 29, 1971, as a common carrier by motor
vehicle, for the

"Transportation of
Buildings

From the CF&I Big Mine Hill located in the County of
Gunnison, State of Colorado, to points within Crested
Butte, Colorado, and a five (5) mile radius thereof.

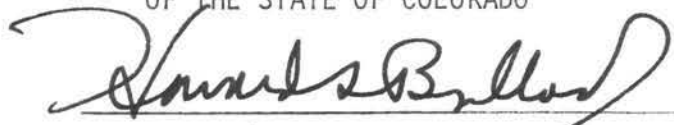


RESTRICTION: This emergency temporary authority is restricted to rendering service for only Leonard C. Perry, Crested Butte, Colorado."

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
29th day of July, 1971.
vjr

(Decision No. 78277)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)

RUBEN H. FARR)
937 S. PROSPECT STREET)
COLORADO SPRINGS, COLORADO 80903)

AUTHORITY NO. 2854

CASE NO. 2965-H-Ins.

July 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.

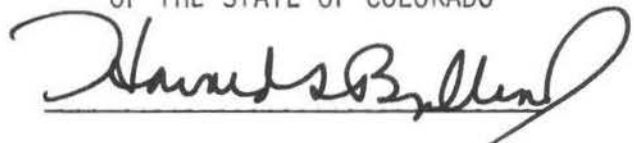
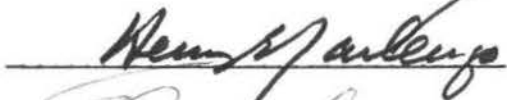
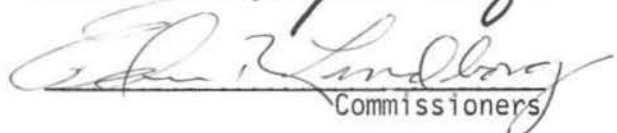
The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

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 July, 1971

(Decision No. 78278)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)

L. J. TILLMAN)
P. O. BOX 501)
FRIENDSWOOD, TEXAS 77546)

AUTHORITY NO. 7990-I

CASE NO. 3020-H-Ins.

- - - - -

- - - - -
July 29, 1971
- - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On July 12, 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.

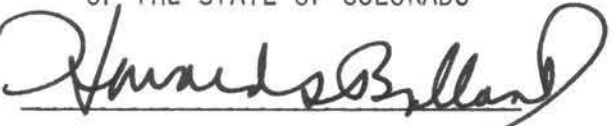
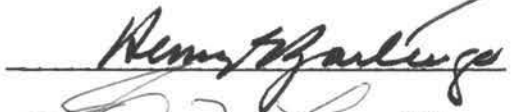
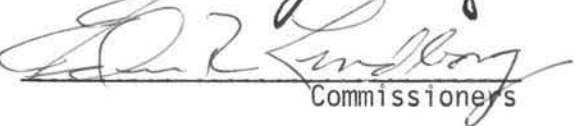
The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

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 July, 1971

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF INCREASED CHARTER)
COACH CHARGES, NATIONAL BUS TRAFFIC)
ASSOCIATION, INC., AGENT, CHARTER)
COACH TARIFF No. A-405, COLORADO)
PUC NO. 145)
-----)

Investigation and Suspension
Docket No. 671

SUPPLEMENTAL ORDER

July 29, 1971

STATEMENT AND FINDINGS

BY THE COMMISSION:

On December 28, 1970, National Bus Traffic Association, Inc., Agent, P. J. Campbell, Chairman, 506 South Wabash Avenue, Chicago, Illinois 60605, filed Sixteenth Revised Page B-1, Sixteenth Revised Page B-2, Sixteenth Revised Page B-3, Sixteenth Revised Page B-4, Eighth Revised Page B-5 and Eighth Revised Page B-6, to Colorado-Utah Area Charter Coach Tariff No. A-405, Colorado PUC No. 145, on behalf of the motor vehicle common and contract carriers of passengers participating therein, as follows:

American Buslines, Inc.
Colorado Motorway, Inc.
Colorado Springs-Limon Transportation Company (Art Walker, d/b/a)
Colorado Transportation Company (Rocky Mountain Motor Company, Inc., d/b/a)
Continental Bus System, Inc.
Denver-Boulder Bus Company
Denver-Colorado Springs-Pueblo Motor Way, Inc.
Denver-Salt Lake-Pacific Stages, Inc.
Glenwood-Aspen Stages, Inc. (San Juan Tours, Inc., d/b/a)
Glover Charter Coach Company, Inc., (The Leadville Transit Company, Inc., (A Colorado Corporation), d/b/a)
Greyhound Lines, Inc., (Greyhound Lines - West Division)
Leadville Transit Company, Inc., The
Pikes Peak-Intermountain Transportation Company (A Division of the Pikes Peak Automobile Company)
San Juan Tours, Inc.
Transcontinental Bus System, Inc.
Valley Transit Lines, Inc.

By Decision No. 76698, dated January 19, 1971, the Commission suspended said tariff filing and set the matter for hearing. By Decision

No. 77829, dated June 8, 1971, the Commission extended the suspension period and reset the hearing date for August 18, 1971.

In addition to the rates and charges under investigation herein the Commission is of the opinion and so finds that certain of the Rules and Regulations in Section A; exceptions to individual carrier application in Section B, and charges and terminology in Section C, Items 2 and 3 of Charter Coach Tariff No. A-405, Colorado PUC 145, should also be included in said investigation.

O R D E R

THE COMMISSION ORDERS:

1. That the Statement and Findings herein be, and same are hereby, made a part hereof.
2. That the Investigation under I & S No. 671 shall include the Rules and Regulations in Section A, the exceptions to individual carrier's application in Section B, and the charges and terminology in Section C, Items 2 and 3 of Colorado-Utah Area Charter Coach Tariff No. A-405, Colorado PUC No. 145.
3. That, except as provided herein, Decision No. 77829, dated June 8, 1971, shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

Dated at Denver, Colorado, this
29th day of July, 1971. av

Commissioner Henry E. Zarlengo
necessarily absent and not
participating.

!

(Decision No. 78280)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
FLIGHTSEERS INTERNATIONAL, INC.,)
650 - 17TH STREET, SUITE 412, DENVER,)
COLORADO, FOR A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY TO OPERATE)
AS A COMMON CARRIER BY AIRPLANE.)

APPLICATION NO. 24673

SUPPLEMENTAL ORDER

- - - - -
July 30, 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.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On July 8, 1971, the Recommended Decision, being Decision No. 78116, of Christian O. Igenbergs, Examiner, was entered in the above-entitled matter. Said Decision became the Decision of the Commission on July 28, 1971.

The attention of the Commission has been called to the fact that, due to inadvertence, the Order portion of the Decision contains the following error, to-wit: the third line of Paragraph No. 1 of the Decision reads:

"a common carrier by motor vehicle for hire for the following, to-wit:"

whereas the aforesaid line should read:

"a common carrier by aircraft for hire for the following, to-wit:".

The Commission states and finds that the error should be corrected in the Order following.

O R D E R

THE COMMISSION ORDERS:


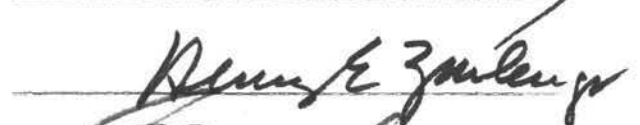

1. That Decision No. 78116 be amended NUNC PRO TUNC by striking the third line of Paragraph No. 1 of the Order contained on Page 10 of said Decision and substituting therefor the following:

"a common carrier by aircraft for hire for the following, to-wit:".

2. That, except as herein amended, Decision No. 78116 shall remain in full force and effect.

3. That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 30th day of July, 1971.
hbp

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
EAGLE TRUCK LINE, INC.)
BOX 486)
EAGLE, COLORADO 81631)

PUC No. 1442 & I

July 29, 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 Commission is now in receipt of a communication from the above-named carrier requesting that said authority be reinstated.

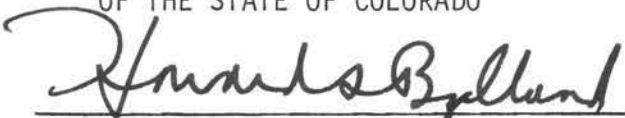
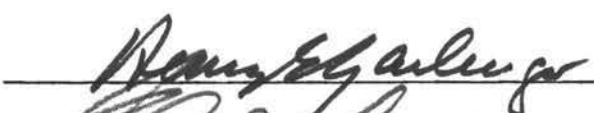

The Commission finds that the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, reinstated as of July 14, 1971.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 29th day July, 1971.

(Decision No. 78282)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
EAGLE TRUCK LINE, INC.)
BOX 486)
EAGLE, COLORADO 81631)

PUC NO. 1484

July 29, 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 Commission is now in receipt of a communication from the above-named carrier requesting that said authority be reinstated.

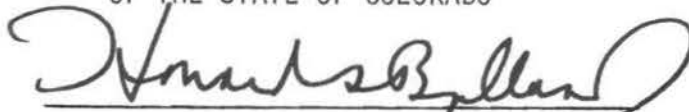
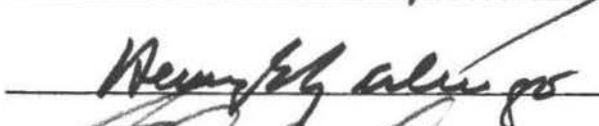
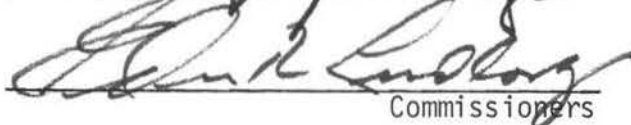
The Commission finds that the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, reinstated as of July 14, 1971.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 29th day July, 1971.

(Decision No. 78283)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)

TROP-ARCTIC REFRIGERATED)
SERVICE, INC.)
1410 BROWN BRIDGE ROAD)
GAINESVILLE, GEORGIA 30501)

AUTHORITY NO. 6546-I

CASE NO. 2971-H-Ins.

June 30, 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.

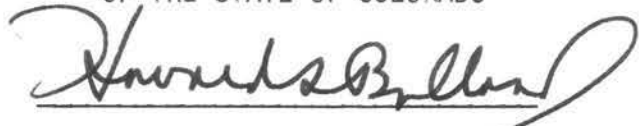


The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

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 30th day of July, 1971

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RAILROADS OPERATING WITHIN THE STATE)
OF COLORADO FOR AUTHORITY TO INCREASE)
FREIGHT RATES AND CHARGES ON COLORADO)
INTRASTATE TRAFFIC. (EX PARTE No. 265;)
EX PARTE No. 267))
-----)

APPLICATION No. 24930

INTERIM ORDER

July 30, 1971

STATEMENT AND FINDINGS

BY THE COMMISSION:

On the date of April 20, 1971, the Common Carrier Railroads operating within the State of Colorado, filed Application No. 24930, which requested that the Commission issue an Order authorizing and granting (1) a six percent general freight rate and charges increase in Colorado intrastate rates and charges which would allow Applicants to publish such rates and charges on the same basis for intrastate application as the Interstate Commerce Commission permitted in Ex Parte 265 on interstate traffic; and (2) a twelve percent general freight rate and charges increase in Colorado intrastate rates and charges which would allow Applicants to publish such rates and charges on the same basis for intrastate application as the Interstate Commerce Commission permitted in Ex Parte 267 on interstate traffic.

Hearing was held on said matter in the Commission Hearing Room on July 26, 1971. At the conclusion of Respondents direct case the matter was continued to the date of September 23, 1971. During the course of the Hearing the Commission requested additional information concerning the intrastate operations of the Respondents.

The Commission is of the opinion and so finds that the following Order should be entered requiring that the additional information be filed with the Commission, with copies to the Protestants,

at least ten (10) days prior to the continued hearing.

O R D E R

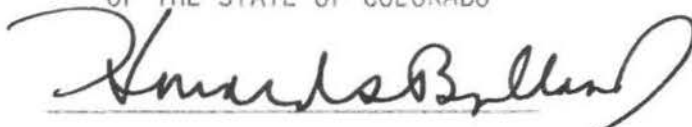
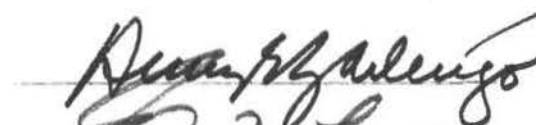
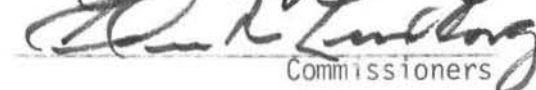
THE COMMISSION ORDERS:

1. That Respondent Railroads shall prepare exhibits showing the Revenue, the Tons and the Ton Miles for each of the five (5) principal commodities transported in Colorado intrastate commerce for the year 1970, by each of the Respondents.

2. That said exhibits shall be filed with the Commission, and a copy served upon each of the parties to this proceeding, on or before September 10, 1971.

3. That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
30th day of July, 1971. av

(Decision No. 78285)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
REFRIGERATED FOODS, INC., P. O. BOX)	APPLICATION NO. 25133-PP-TA
1018, 3200 BLAKE STREET, DENVER,)	
COLORADO, FOR TEMPORARY AUTHORITY)	ORDER GRANTING TEMPORARY
TO OPERATE AS A CLASS "B" CONTRACT)	
CARRIER BY MOTOR VEHICLE.)	AUTHORITY IN PART

July 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 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 compliance has been
effected and service may be instituted.


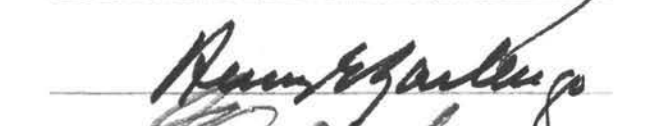
It is further ordered, That upon the authority herein granted
becoming effective, failure of the Applicant to maintain compliance with
statutory and Commission requirements shall constitute sufficient grounds
for suspension, change or revocation of the said authority.

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 30th day of July, 1971.
'bp

(Decision No. 78285)
July 30, 1971

APPENDIX

Application No. 25133-PP-TA

Refrigerated Foods, Inc.
P. O. Box 1018
3200 Blake 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 - 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

Potatoes

From Platteville, Colorado; Gilcrest, Colorado; and La Salle, Colorado; to the Safeway Distribution Center, Denver, Colorado.

RESTRICTION: This temporary authority is restricted to rendering transportation service for only Safeway Stores, Incorporated."

(Decision No. 78286)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
D & G SANITATION, INC., DOING BUSI-)
NESS AS "ROLL-OFF SERVICE CO.," 3721)
GOODELL LANE, FORT COLLINS, COLORADO,)
FOR TEMPORARY AUTHORITY TO OPERATE AS)
A CLASS "B" CONTRACT CARRIER BY MOTOR)
VEHICLE.)

APPLICATION NO. 25137-PP-TA

ORDER DENYING TEMPORARY AUTHORITY


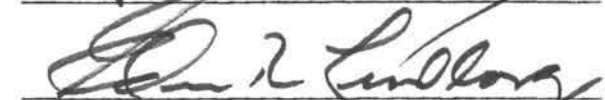
July 30, 1971

The above-entitled application under CRS 1963, 115-6-20 (1),
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 temporary authority be,
and is hereby, denied.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

COMMISSIONER HENRY E. ZARLENGO NECESSARILY
ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado, this
30th day of July, 1971.
vjr

(Decision No. 78287)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RAYMOND L. MAULDIN, OWNER OF ALL THE)
OUTSTANDING CAPITAL STOCK OF COLORADO)
CARTAGE COMPANY, INC., 5275 QUEBEC)
STREET, COMMERCE CITY, COLORADO, FOR)
AUTHORITY TO TRANSFER ALL THE OUT-)
STANDING CAPITAL STOCK IN AND TO)
COLORADO CARTAGE COMPANY, INC.,)
RECORD OWNER OF CERTIFICATE OF PUB-)
LIC CONVENIENCE AND NECESSITY PUC)
NO. 692 AND PUC NO. 692-I TO AMERICAN)
COURIER CORPORATION, 2 NEVADA DRIVE,)
LAKE SUCCESS, NEW YORK.)

APPLICATION NO. 24629-Stock Transfer

IN THE MATTER OF THE APPLICATION OF)
RAYMOND L. MAULDIN, OWNER OF ALL THE)
OUTSTANDING CAPITAL STOCK OF COLORADO)
CARTAGE COMPANY, INC., 5275 QUEBEC)
STREET, COMMERCE CITY, COLORADO, FOR)
AUTHORITY TO TRANSFER ALL THE OUT-)
STANDING CAPITAL STOCK IN AND TO)
COLORADO CARTAGE COMPANY, INC.,)
RECORD OWNER OF CERTIFICATE OF PUB-)
LIC CONVENIENCE AND NECESSITY PUC)
NO. 1938 AND PUC NO. 1938-I TO)
AMERICAN COURIER CORPORATION, 2)
NEVADA DRIVE, LAKE SUCCESS, NEW YORK.)

APPLICATION NO. 24630-Stock Transfer

IN THE MATTER OF THE APPLICATION OF)
RAYMOND L. MAULDIN, OWNER OF ALL THE)
OUTSTANDING CAPITAL STOCK OF COLORADO)
CARTAGE COMPANY, INC., 5275 QUEBEC)
STREET, COMMERCE CITY, COLORADO, FOR)
AUTHORITY TO TRANSFER ALL THE OUT-)
STANDING CAPITAL STOCK IN AND TO)
COLORADO CARTAGE COMPANY, INC.,)
RECORD OWNER OF CERTIFICATE OF PUB-)
LIC CONVENIENCE AND NECESSITY PUC)
NO. 2693 AND PUC NO. 2693-I TO)
AMERICAN COURIER CORPORATION, 2)
NEVADA DRIVE, LAKE SUCCESS, NEW YORK.)

APPLICATION NO. 24631-Stock Transfer

IN THE MATTER OF THE APPLICATION OF)
RAYMOND L. MAULDIN, OWNER OF ALL THE)
OUTSTANDING CAPITAL STOCK OF COLORADO)
CARTAGE COMPANY, INC., 5275 QUEBEC)
STREET, COMMERCE CITY, COLORADO, FOR)
AUTHORITY TO TRANSFER ALL THE OUT-)
STANDING CAPITAL STOCK IN AND TO)
COLORADO CARTAGE COMPANY, INC.,)
RECORD OWNER OF CERTIFICATE OF PUB-)
LIC CONVENIENCE AND NECESSITY PUC)
NO. 3379 AND PUC NO. 3379-I TO)
AMERICAN COURIER CORPORATION, 2)
NEVADA DRIVE, LAKE SUCCESS, NEW YORK.)

APPLICATION NO. 24632-Stock Transfer

IN THE MATTER OF THE APPLICATION OF)
RAYMOND L. MAULDIN, OWNER OF ALL THE)
OUTSTANDING CAPITAL STOCK OF COLORADO)
CARTAGE COMPANY, INC., 5275 QUEBEC)
STREET, COMMERCE CITY, COLORADO, FOR)
AUTHORITY TO TRANSFR ALL THE OUT-)
STANDING CAPITAL STOCK IN AND TO)
COLORADO CARTAGE COMPANY, INC.,)
RECORD OWNER OF CONTRACT CARRIER)
PERMIT NO. B-4470 TO AMERICAN)
COURIER CORPORATION, 2 NEVADA)
DRIVE, LAKE SUCCESS, NEW YORK.)

APPLICATION NO. 24635-PP-Stock Transfer

- - - - -
August 4, 1971
- - - - -

ORDER GRANTING EXTENSION OF TIME TO COMPLY
WITH CONDITIONS AND REQUIREMENTS OF ORDER GRANTING APPLICATIONS

Appearances: Edward T. Lyons, Esq.,
Denver, Colorado,
for Transferee.
John H. Lewis, Esq.,
Denver, Colorado,
for Transferor.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On January 18, 1971, by Commission Decision No. 76678 in Application No. 24629-Stock Transfer, Application No. 24630-Stock Transfer, Application No. 24631-Stock Transfer, Application No. 24632-Stock Transfer and Application No. 24635-PP-Stock Transfer, Applicant was granted the right to transfer all stock requested in said applications to American Courier Corporation, contingent upon the parties thereto filing formal written acceptance of the conditions and requirements of said decision within thirty (30) days after January 18, 1971.

On July 28, 1971, Transferor, Raymond L. Mauldin, and Transferee, American Courier Corporation, through their attorneys, John H. Lewis and Edward T. Lyons, Jr., respectively, filed a motion for extension of time to comply with the conditions of the above said decision up to and including February 9, 1972.

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

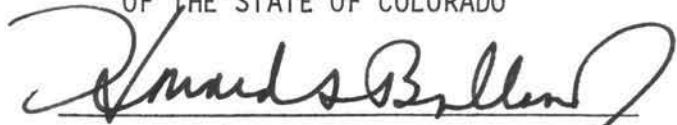
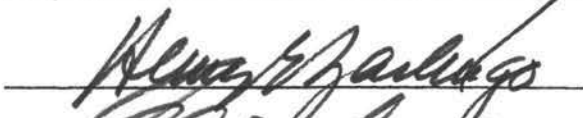

O R D E R

THE COMMISSION ORDERS THAT:

Raymond L. Mauldin, Transferor, and American Courier Corporation, Transferee, herein, be, and hereby are, granted an extension of time up to and including February 9, 1972, to comply with conditions of Decision No. 76678, dated January 18, 1971.

This Order shall be effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
4th day of August, 1971.

vjr

(Decision No. 78288)

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)	APPLICATION NO. 25050
FARES BETWEEN POINTS IN THE STATE OF)	
COLORADO.)	

ORDER OF THE COMMISSION GRANTING CONTINUANCE,
VACATING AND RESETTING HEARING

August 4, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The above-captioned matter has previously been set for hearing before the Commission on August 18, 1971.

On July 28, 1971, certain Intervenors, by and through their attorneys, Richard C. McLean, Daniel F. Bernard and Gary P. Sandblom, filed a Motion for Continuance. The said Motion includes the request that Applicants be ordered to file all documentary evidence, as specified in Decision No. 77968, twenty-one (21) days prior to August 18, 1971. Such documentary evidence has already been filed and is available for inspection by the parties, thus rendering this request moot.

The Commission finds and concludes that the public interest requires that continuance be granted and the following order entered.

O R D E R

THE COMMISSION ORDERS THAT:

The hearing previously set in this matter for August 18, 1971, be, and hereby is, vacated, and the matter be, and hereby is, reset for hearing as follows:

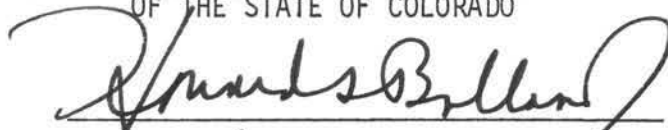


Date: October 4, 1971

Time: 10 a.m.

Place: Commission Hearing Room
500 Columbine Building
1845 Sherman Street
Denver, Colorado

This Order shall be effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
4th day of August, 1971.

vjr

(Decision No. 78289)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION)
OF EVERETT SEALS, DOING BUSINESS)
AS CHARLIE'S EXPRESS AND DELIVERY)
SERVICE, 2725 WELTON STREET, DENVER,)
COLORADO 80205, FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY)
TO OPERATE AS A COMMON CARRIER BY)
MOTOR VEHICLE FOR HIRE FOR THE)
TRANSPORTATION OF TRUNKS, BAGGAGE)
AND GROCERIES.)

APPLICATION NO. 25112

- - - - -
August 4, 1971
- - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On July 29, 1971, Yellow Cab, Inc., by its attorney, Walter M. Simon, filed a Motion to Intervene and Protest of Yellow Cab, Inc., in the above-captioned proceeding.

The Commission states and finds that Intervenor, Yellow Cab, Inc., is a party 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.

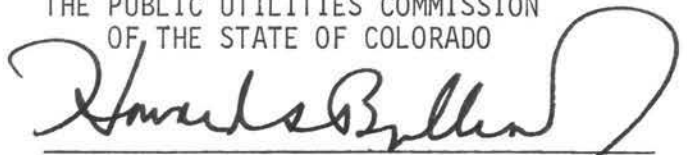
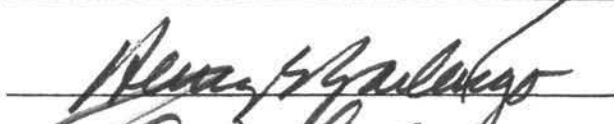

O R D E R

THE COMMISSION ORDERS THAT:

The Motion to Intervene by Yellow Cab, Inc., be, and hereby is, granted.

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
4th day of August, 1971.

vjr

(Decision No. 78290)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	APPLICATION NO. 25142-PP-ETA
PAUL J. HARVEY, 5564 DILLON STREET,)	
DENVER, COLORADO, FOR EMERGENCY)	ORDER GRANTING
TEMPORARY AUTHORITY TO OPERATE AS)	EMERGENCY TEMPORARY AUTHORITY
A CLASS "B" CONTRACT CARRIER BY)	
MOTOR VEHICLE.)	

- - - - -
July 30, 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 Paul J. Harvey, 5564 Dillon Street, Denver,
Colorado, be, and is hereby, granted emergency temporary authority for a
period of fifteen (15) days commencing July 30, 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;

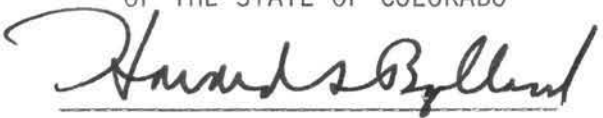


RESTRICTION: This emergency temporary authority is restricted against the use of tank vehicles when transporting road-surfacing materials";

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 30th day of July, 1971.
js

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	APPLICATION NO. 25143-PP-ETA
CLETIS E. POOLE, DOING BUSINESS AS)	
"J. M. TRUCKING," 2525 E. MULBERRY,)	ORDER GRANTING
BOX 94, FT. COLLINS, COLORADO, FOR)	EMERGENCY TEMPORARY AUTHORITY
EMERGENCY TEMPORARY AUTHORITY TO)	
OPERATE AS A CLASS "B" CONTRACT)	
CARRIER BY MOTOR VEHICLE.)	

- - - - -
July 30, 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 Cletis E. Poole, doing business as "J. M.
Trucking," 2525 E. Mulberry, Box 94, Ft. Collins, Colorado, be, and is
hereby, granted emergency temporary authority for a period of fifteen (15)
days commencing July 30, 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;

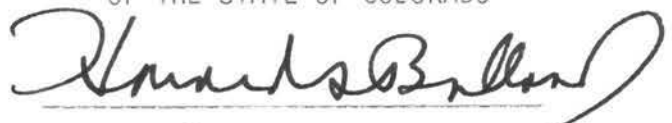
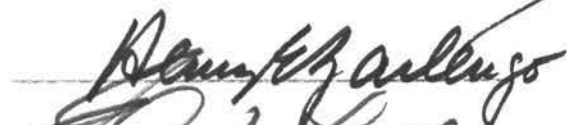

RESTRICTION: This emergency temporary authority is restricted against the use of tank vehicles when transporting road-surfacing materials";

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

Dated at Denver, Colorado,
this 30th day of July, 1971.

JS

(Decision No. 78292)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION)	
OF GARY C. BOGUE, DOING BUSINESS	)	APPLICATION NO. 25109-TA
AS "ROARING FORK EXPRESS COMPANY,")	
BOX 1934, ASPEN, COLORADO, FOR	)	ORDER GRANTING TEMPORARY AUTHORITY
TEMPORARY AUTHORITY TO OPERATE AS	)	IN PART
A COMMON CARRIER BY MOTOR VEHICLE.)	

July 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 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.

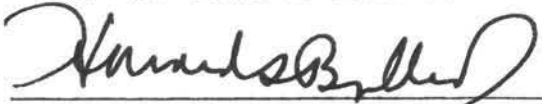
It is further ordered, That upon the authority herein granted
becoming effective, failure of the Applicant to maintain compliance with
statutory and Commission requirements shall constitute sufficient
grounds for suspension, change or revocation of the said authority.

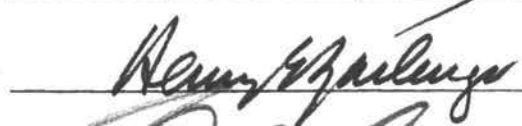
It is further ordered, That if Applicant fails to comply with
all applicable statutory and Commission requirements, rules and regulations

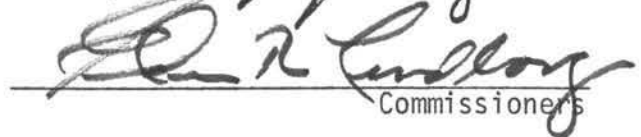
within fifteen (15) days from the date hereof, this Order shall be of no further force and effect.

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
30th day of July, 1971.

vjr

(Decision No. 78292)
July 30, 1971

APPENDIX

Application No. 25109-TA

Gary C. Bogue
Doing Business AS
Roaring Fork Express Company
Box 1934
Aspen, 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 operate as a common carrier by motor vehicle with authority as follows:

"Transportation -- on call and demand -- of

(1) General commodities

Between Sardy Field, Aspen, Colorado, on the one hand and points within Aspen and a forty-five (45) mile radius thereof, on the other hand.

(2) Lost, overdue, or mishandled luggage

From Sardy Field, Aspen, Colorado, to points within Aspen, Colorado, and a twenty (20) mile radius thereof.

RESTRICTION: This temporary authority is restricted to transportation service involving prior or subsequent air transportation."

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
GERARD C. BERTSCH, DOING BUSINESS)	
AS "ROD'S RUBBISH REMOVAL," 3275)	
SOUTH DALE COURT, ENGLEWOOD, COLORADO,	)	APPLICATION NO. 25117-Transfer-TA
FOR TEMPORARY APPROVAL TO CONDUCT)	
OPERATIONS UNDER CERTIFICATE OF PUB-	)	ORDER GRANTING TEMPORARY APPROVAL
LIC CONVENIENCE AND NECESSITY PUC NO.)	
3580 PENDING THE DETERMINATION OF THE)	
APPLICATION TO ACQUIRE SAID CERTIFICATE.)	

- - - - -
August 3, 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. 3580 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 his future usefulness in the performance of adequate
and continuous service to the public.

It is ordered, That Transferee be, and is 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
Transferee has received notice in writing from the Commission that compli-
ance has been effected and service may be instituted.

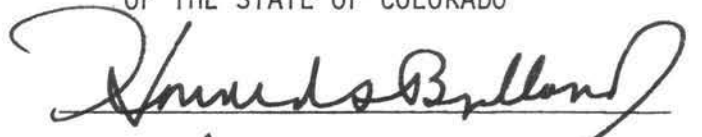

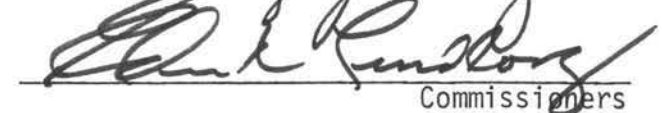
It is further ordered, That upon the approval herein granted
becoming effective, failure of the Transferee to maintain compliance with

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
3rd day of August, 1971.
vjr

(Decision NO. 78293)
August 3, 1971

APPENDIX

Application No. 25117-Transfer-TA

Gerard C. Bertsch
Doing Business As
Rod's Rubbish Removal
3275 South Dale Court
Englewood, 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 - 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 approval to conduct operations under Certificate of Public Convenience and Necessity PUC No. 3580 with authority as follows:

"Transportation of

Ashes, trash, garbage, and othe waste materials,

From points within the following described territory:

Commencing at the southeast corner of East Hampden Avenue and South Clarkson Street; thence east to the intersection of said East Hampden Avenue and the Valley Highway; thence southeasterly along the west side of said Valley Highway to Orchard Avenue; thence westerly on said Orchard Avenue to South Washington Street; thence northerly to East Belleview Avenue; thence easterly to South Clarkson Street; thence northerly to the point of beginning, to dumps and disposal places within said territory.

Transportation of

Ashes, trash, and other debris,

From point to point within the following described area:

Beginning at the intersection of East Hampden Avenue and the Valley Highway; thence east to Cherry Creek; thence southeasterly along Cherry Creek to the point where East Orchard Avenue extended would intersect with Cherry Creek; thence west to the intersection of East Orchard Avenue and the Valley Highway; thence northwesterly along the Valley Highway to the point of beginning,

And from said area to and from regularly designated and approved dumps and disposal places in the Counties of Arapahoe, Jefferson, and Denver, State of Colorado.

EXTENDED to include the transportation of

Ashes, trash and other debris,

From point to point within the following described area:

Beginning at the intersection of University Boulevard and East Orchard Avenue; thence south along said University Boulevard for a distance of one (1) mile; thence east on a line parallel with East Orchard Avenue to Cherry Creek; thence north along Cherry Creek to a point where East Orchard Avenue extended would intersect with Cherry Creek; thence west along East Orchard Avenue to the point of beginning."

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
JAMES L. BOLING, 7615 WEST 9TH AVENUE,	)	APPLICATION NO. 25108-PP-TA
LAKEWOOD, COLORADO, FOR TEMPORARY)	
AUTHORITY TO OPERATE AS A CLASS "B"	)	ORDER GRANTING TEMPORARY AUTHORITY
CONTRACT CARRIER BY MOTOR VEHICLE.)	

- - - - -
July 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 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.

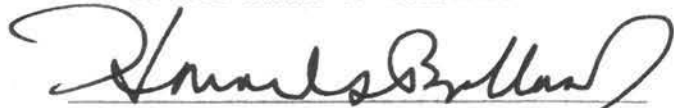
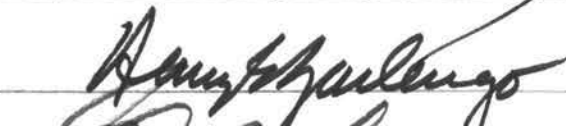

It is further ordered, That upon the authority herein granted
becoming effective, failure of the Applicant to maintain compliance
with statutory and Commission requirements shall constitute sufficient
grounds for suspension, change or revocation of the said authority.

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
30th day of July, 1971.

vjr

(Decision No. 78294)
July 30, 1971

APPENDIX

Application No. 25108-PP-TA

James L. Boling
7615 West 9th Avenue
Lakewood, 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."

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
EVERETT SEALS, DOING BUSINESS AS)	
"CHARLIE'S EXPRESS AND DELIVERY)	APPLICATION NO. 25112-TA
SERVICE," 2723 WELTON STREET,)	
DENVER, COLORADO, FOR TEMPORARY)	ORDER GRANTING TEMPORARY AUTHORITY
AUTHORITY TO OPERATE AS A COMMON)	
CARRIER BY MOTOR VEHICLE.)	

July 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 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.

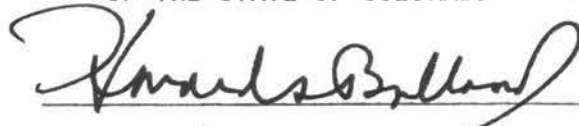

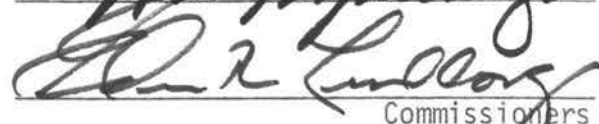
It is further ordered, That upon the authority herein granted
becoming effective, failure of the Applicant to maintain compliance with
statutory and Commission requirements shall constitute sufficient grounds
for suspension, change or revocation of the said authority.

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
30th day of July, 1971.
vjr

(Decision No. 78295)
July 30, 1971

APPENDIX

Application No. 25112-TA

Everett Seals
Doing Business As
Charlie's Express and Delivery Service
2723 Welton 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 - 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 operate as a common carrier by motor vehicle with authority as follows:

"Transportation -- on call and demand -- of

Groceries (in sacks from retail stores), trunks, and baggage

Between all points located within the following described area: Commencing at the intersection of Colfax Avenue and Syracuse Street; thence north on Syracuse Street to its intersection with Interstate Highway No. 70 (I-70); thence west on Interstate Highway No. 70 to its intersection with Walnut Street as extended; thence southwest on Walnut Street as extended to its intersection with Colfax Avenue; thence east on Colfax Avenue to the point of beginning, including Stapleton International Airport."

(Decision No. 78296)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
LOUIS TORNATORE, DOING BUSINESS AS)	APPLICATION NO. 25126-TA
"LOUIS TORNATORE SANITARY SERVICE,")	
P. O. BOX 665, MONTROSE, COLORADO,)	ORDER GRANTING TEMPORARY AUTHORITY
FOR TEMPORARY AUTHORITY TO OPERATE)	
AS A COMMON CARRIER BY MOTOR VEHICLE.)	

- - - - -
July 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.

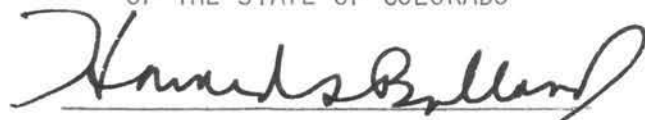


It is further ordered, That the service provided for in this
order shall not be commenced until all requirements have been met and
Applicant has received notice in writing from the Commission that compliance
has been effected and service may be instituted.

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 30th day of July, 1977.
hj

(Decision No. 78296)
July 30, 1971

APPENDIX

Application No. 25126-TA

Louis Tornatore
Doing Business As
Louis Tornatore Sanitary Service
P. O. Box 665
Montrose, 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 operate as a common carrier by motor vehicle with authority as follows:

"Transportation of

Ash, trash, and other refuse

From points located within a radius of eight (8) miles of the City of Montrose, State of Colorado, to such locations where the same may be lawfully delivered or disposed of.

RESTRICTION: This temporary authority is restricted against rendering transportation service within the city limits of Montrose, Colorado."

(Decision No. 78297)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
J. C. R. TRUCKING, INC., 8686 WEST)	APPLICATION NO. 25107-PP-TA
UTAH AVENUE, DENVER, COLORADO, FOR)	
TEMPORARY AUTHORITY TO OPERATE AS)	ORDER GRANTING TEMPORARY AUTHORITY
A CLASS "B" CONTRACT CARRIER BY)	
MOTOR VEHICLE.)	

July 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 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 compliance
has been effected and service may be instituted.

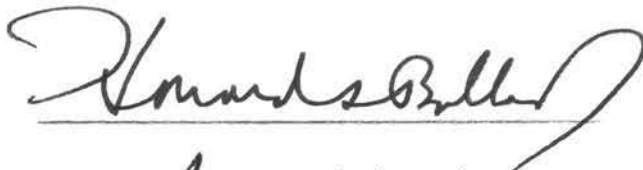


It is further ordered, That upon the authority herein granted
becoming effective, failure of the Applicant to maintain compliance with
statutory and Commission requirements shall constitute sufficient grounds
for suspension, change or revocation of the said authority.

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 30th day of July, 1971.
bp

(Decision No. 78297)
July 30, 1971

APPENDIX

Application No. 25107-PP-TA

J. C. R. Trucking, Inc.
8686 West Utah Avenue
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 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. 78298)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
CHARLES E. STONE, 5950 E. BELLEVIEW,)	APPLICATION NO. 25120-PP-TA
ENGLEWOOD, COLORADO, FOR TEMPORARY)	
AUTHORITY TO OPERATE AS A CLASS "B")	ORDER GRANTING TEMPORARY AUTHORITY
CONTRACT CARRIER BY MOTOR VEHICLE.)	

July 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 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 compliance
has been effected and service may be instituted.

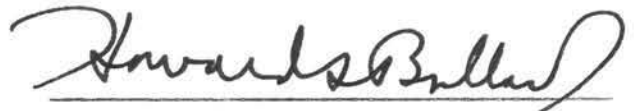
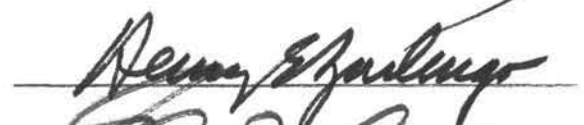

It is further ordered, That upon the authority herein granted
becoming effective, failure of the Applicant to maintain compliance with
statutory and Commission requirements shall constitute sufficient grounds
for suspension, change or revocation of the said authority.

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 30th day of July, 1971.
bbp

(Decision No. 78298)
July 30, 1971

APPENDIX

Application No. 25120-PP-TA

Charles E. Stone
5950 E. Belleview
Englewood, 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: This temporary authority is restricted against the use of tank vehicles when transporting road-surfacing materials."

(Decision No. 78299)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: PETITION OF THE NATIONAL BUS TRAFFIC ASSOCIATION, INC., FOR AND ON BEHALF OF THE NAMED CARRIERS OF PASSENGERS FOR AUTHORITY TO INCREASE PASSENGER BUS FARES BETWEEN POINTS IN THE STATE OF COLORADO.	)	APPLICATION NO. 25040
IN THE MATTER OF INCREASED CHARTER COACH CHARGES, NATIONAL BUS TRAFFIC ASSOCIATION, INC., AGENT, CHARTER COACH TARIFF NO. A-405, COLORADO PUC NO. 145.	)	INVESTIGATION AND SUSPENSION DOCKET NO. 671
IN THE MATTER OF INCREASED COLORADO BUS INTRASTATE PACKAGE EXPRESS RATES.	)	INVESTIGATION AND SUSPENSION DOCKET NO. 672

- - - - -
August 3, 1971
- - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The above-entitled matters are now set for hearing before the Commission on August 18, 1971, in the hearing room of the Commission, 1845 Sherman Street, Denver, Colorado.

On July 27, 1971, National Bus Traffic Association, Inc., through their attorney, John R. Barry, filed a Petition for an extension of time in which to file the exhibits proposed to be submitted by Glenwood-Aspen Stages, Inc. and Pikes Peak Automobile Company until and including August 9, 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.



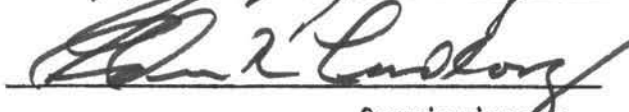
O R D E R

THE COMMISSION ORDERS THAT:

Petitioner, National Bus Traffic Association, Inc., be, and hereby is, granted an extension of time in which to file the above-described exhibits in the above-captioned matters until and including August 9, 1971.

This Order shall be effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 3rd day of August, 1971.
hbp

(Decision No. 78300)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	APPLICATION NO. 25125-PP
HERB CROMER, 608 COOK DRIVE, FORT)	
COLLINS, COLORADO, FOR AUTHORITY)	ORDER OF THE COMMISSION
TO OPERATE AS A CLASS "B" CONTRACT)	
CARRIER BY MOTOR VEHICLE.)	

- - - - -
August 3, 1971
- - - - -

It appearing, That by Order of the Commission dated July 21, 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 Herb Cromer, 608 Cook Drive, 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

- (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: Items No. 1, 2, 3, and 4 of this Permit are restricted against the use of tank vehicles when transporting road-surfacing materials.

(5) Farm products

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

RESTRICTION: Item No. 5 of 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.

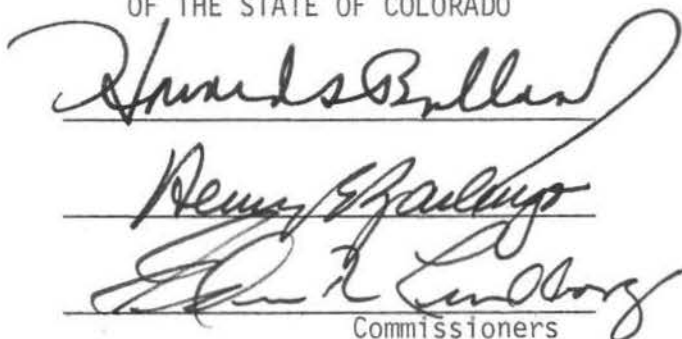
It is further ordered, That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this Permit as deemed advisable.

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 days from the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 3rd day of August, 1971.
js

(Decision No. 78301)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	APPLICATION NO. 25053-Transfer
CREIGHTON DENNIS AND CHRISTOPHER)	
LAVEO, P. O. BOX 281, CRESTED BUTTE,)	ORDER OF THE COMMISSION
COLORADO, FOR AUTHORITY TO TRANSFER)	
CERTIFICATE OF PUBLIC CONVENIENCE)	
AND NECESSITY PUC NO. 7909 TO)	
SUNSHINE GARBAGE, INC., P. O. BOX)	
193, CRESTED BUTTE, COLORADO.)	

- - - - -
August 3, 1971
- - - - -

Appearances: Peter Wall, Esq., Denver,
Colorado, for Transferee

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 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 Creighton Dennis and Christopher Laveo, P. O. Box 281, Crested Butte, Colorado, be, and are hereby, authorized to transfer all right, title and interest in and to Certificate of Public Convenience and Necessity PUC No. 7909 to Sunshine Garbage, Inc., P. O. Box 193, Crested Butte, 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. 7909 shall read and be as follows, to wit:

"Transportation of

Ash, trash, and other refuse

From all points located within Crested Butte, Colorado, and a three (3) mile radius thereof, to such locations where the same may be lawfully delivered or disposed of."

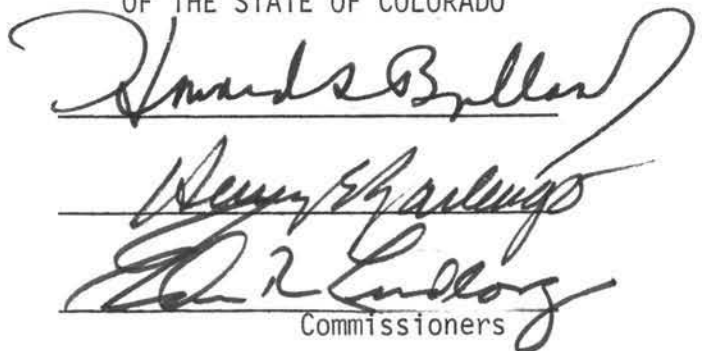
It is further ordered, That said transfer shall become effective only if and when, but not before, said Transferors and Transferee, in writing, have advised the Commission that said Certificate has been formally assigned, and that said parties have accepted, and in the future

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 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 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.

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 3rd day of August, 1971.

(Decision No.78302)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
CLIFFORD M. COOPER
Box 110
Silverthorne, Colorado 80435

AUTHORITY NO. M 7569

CASE NO. 7227-M-Ins.

July 30, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On July 26, 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.

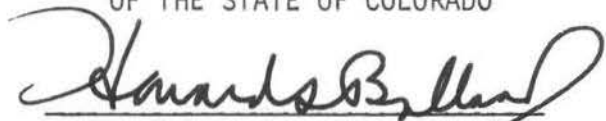
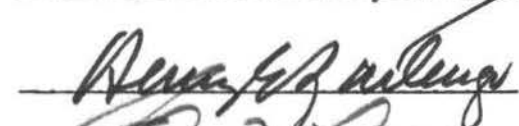
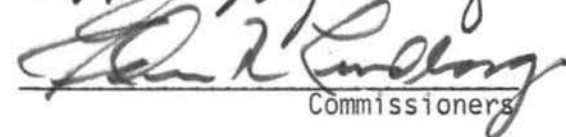
The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

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 July, 1971

(Decision No. 78303)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CHARLES L. SOBER AND LOISE B. SOBER,)
DOING BUSINESS AS "C. & L. TRASH)
SERVICE," P. O. BOX 35, FOWLER,)
COLORADO, FOR A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY TO OPERATE)
AS A COMMON CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 24744-TA

ORDER OF THE COMMISSION
DENYING PETITION FOR EXTENSION
OF TEMPORARY AUTHORITY.

- - - - -
July 30, 1971
- - - - -

Appearances: Arthur R. Hauver, Esq.,
Denver, Colorado,
for Applicant.
Robert S. Stauffer, Esq.,
Cheyenne, Wyoming, for
Ermon L. Tyler, doing business
as "Fowler Truck Line,"
Protestant.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On February 1, 1971, by Decision No. 76807 the Commission granted temporary authority in the above-entitled matter. Said decision, inter alia, provided: "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." The decision further provided that the temporary authority is granted for a period of 180 days or until such time as the decision of the Commission on the corresponding permanent application of the Applicants becomes final, whichever occurs first. This authority was granted pursuant to 115-6-20 (1), CRS 1963, which, inter alia, provides that "Such temporary authority, unless suspended or revoked for good cause, shall be valid for such time as the commission shall specify, but for not more than an aggregate of one hundred eighty days,"

On July 27, 1971, a Hearing Examiner entered Recommended Decision No. 78260 recommending a grant of the corresponding permanent application. Said recommended decision will become final within twenty (20) days after July 27, 1971, unless exceptions are filed or unless said 20-day period for filing of exceptions is extended by the Commission, or unless the decision is otherwise stayed by the Commission. None of these events have yet taken place.

On July 29, 1971, Applicants filed a Petition for Extension of Temporary Authority seeking, in effect, an extension or renewal of the temporary authority granted by Decision No. 76807.

115-6-20 CRS 1963, as amended, specifies that a temporary authority cannot be granted for more than an aggregate of one hundred eighty (180) days; that such time period shall not be extended or renewed. It is further the Commission's interpretation that under 115-6-20 (4), providing for issuance of a temporary authority in an emergency without notice, such emergency temporary authority is but a part of any temporary authority issued and cannot be used to extend the maximum time period of one hundred eighty (180) days. Accordingly, the Commission finds that the relief sought in the said Petition for Extension of Temporary Authority cannot be granted under the statute.

It is apparent from the petition that the purpose of the said petition is to seek approval of the Commission to continue operations under the temporary authority until such time as Decision No. 78260 may become final, if such be the case, which in any event would be at least twenty (20) days after July 27, 1971. In this connection it may not be clear when the 180-day period for the temporary authority expires. The temporary authority was issued on February 1, 1971, but could not be exercised until and after February 17, 1971, when the notice from the Commission that compliance has been effected and service may be instituted was given. If the one hundred eighty (180) days were computed from the date of the

decision granting the temporary authority, such temporary authority would expire no later than July 31, 1971. On the other hand, if the one hundred eighty (180) days began to run from the time that service could actually be commenced under the terms of the Commission order, the temporary authority would expire no later than August 16, 1971.

The Commission finds and expressly so rules that the 180-day maximum time period in the case of the temporary authority began to run on February 17, 1971, when the aforesaid notice of compliance with the order was given and Applicants were permitted to commence operations under the temporary authority. This situation should be distinguished from the computation of time applicable to an emergency temporary authority. In case of an emergency temporary authority, the statute specifies that it shall expire no later than fifteen (15) days after it was issued. The issue date of the temporary authority was certainly February 1, 1971, rather than February 17, 1971, when notice was given that Applicants may commence operations. It is obvious, however, that if the issuance date was used in computing the time period during which the temporary authority is valid, the temporary authority would be limited to a maximum period of less than one hundred eighty (180) days contrary to Decision No. 76807 entered pursuant to 115-6-20 (1), CRS 1963, as amended. The Commission concludes that the Petition for Extension of Temporary Authority should be denied and the following Order entered.

O R D E R


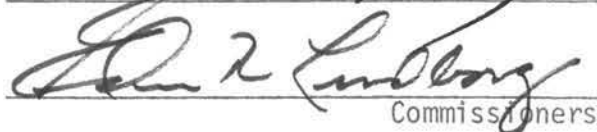
THE COMMISSION ORDERS THAT:

1. The Petition for Extension of Temporary Authority filed in the above-captioned matter by Applicants on July 27, 1971, be, and hereby is, denied.
2. That the temporary authority issued to Applicants by Decision No. 76807 shall expire on August 16, 1971, or on the day the decision

of the Commission in the corresponding permanent application becomes final, whichever occurs first.

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
30th day of July, 1971.
vjr

(Decision No. 78304)

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")	SUPPLEMENTAL ORDER
CONTRACT CARRIER BY MOTOR VEHICLE.)	

- - - - -
August 3, 1971
- - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On June 30, 1971, the Commission entered Decision No. 78077 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. 78077, that is, has failed to file 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. 78077, temporary operating rights granted thereby should be revoked, as set forth in the Order following.

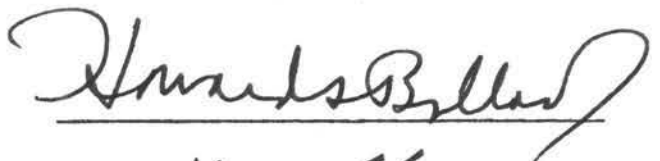
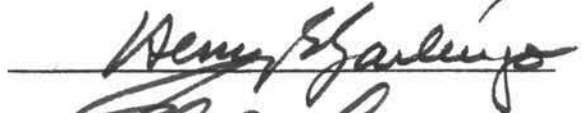
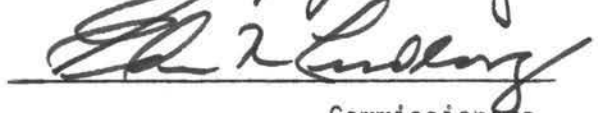
O R D E R

THE COMMISSION ORDERS:

That the temporary operating rights granted to James Roger Crispin, 4815 N. 26th St., Boulder, Colorado, by Decision No. 78077, dated June 30, 1971, be, and the same hereby are, revoked for failure of Applicant to comply with requirements set forth in said Decision No. 78077.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 3rd day of August, 1971.
hbp

(Decision No. 78305)

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)
AUTHORITY TO OPERATE AS A CLASS "B")
CONTRACT CARRIER BY MOTOR VEHICLE.)

APPLICATION NO. 24885-PP
SUPPLEMENTAL ORDER

- - - - -
August 3, 1971
- - - - -

BY THE COMMISSION:

On April 13, 1971, the Commission entered its Decision No. 77363 in the above-styled application, granting to Applicant herein the right to operate 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. 77363, having failed to file a Certificate of Public Liability and Property Damage Insurance, Cargo Insurance, Tariff, C.O.D. Bond, Designation of Agent, and Issuance Fee.

The Commission states and finds that inasmuch as Applicant has not fulfilled the requirements set forth in Decision No. 77363, all operating rights granted thereby should be revoked as set forth in the Order following.


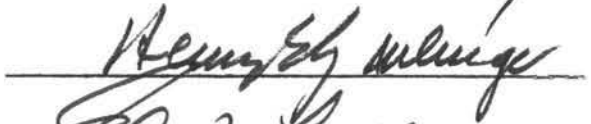
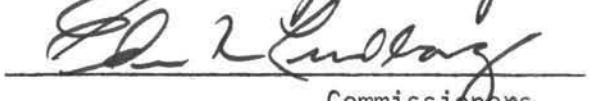
O R D E R

THE COMMISSION ORDERS:

That the operating rights granted to Roger A. Thorp, doing business as "Thorp Brothers Transport," Route 4, Box 193, Longmont, Colorado, be, and the same hereby are, revoked for failure of Applicant to comply with requirements set forth in said Decision No. 77363.

That 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 3rd day of August, 1971.
hbp

(Decision No. 78306)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	APPLICATION NO. 25134-PP
CHARLES L. YOAKUM, BOX 1604, CORTEZ,)	
COLORADO, FOR AUTHORITY TO OPERATE)	ORDER OF THE COMMISSION
AS A CLASS "B" CONTRACT CARRIER BY)	
MOTOR VEHICLE.)	

- - - - -
August 3, 1971
- - - - -

It appearing, That by Order of the Commission dated July 21, 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 Charles L. Yoakum, Box 1604, Cortez, 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.

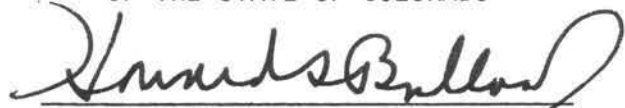


It is further ordered, That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this Permit as deemed advisable.

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 3rd day of August, 1971.
js

(Decision No. 78307)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	APPLICATION NO. 25135-PP
VELDA RAY AYERS, DOING BUSINESS AS)	
"RAY AYERS TRUCKING CO.," 225 SO.)	ORDER OF THE COMMISSION
MADISON, CORTEZ, COLORADO, FOR)	
AUTHORITY TO OPERATE AS A CLASS "B")	
CONTRACT CARRIER BY MOTOR VEHICLE.)	

August 3, 1971

It appearing, That by Order of the Commission dated July 21, 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 ~~with~~ 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 Velda Ray Ayers, doing business as "Ray Ayers Trucking Co.," 225 So. Madison, Cortez, 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.

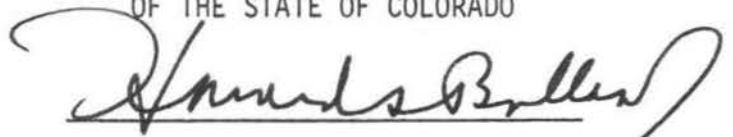
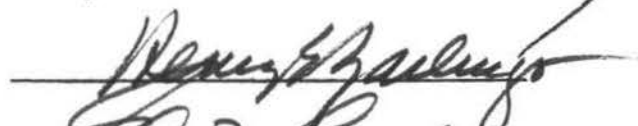

It is further ordered, That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this Permit as deemed advisable.

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 3rd day of August, 1971.
js

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER

Certificate No. PUC 6557

Gilpin County Express & Truck Line

P.O. Box 303

Central City, Colorado 80427

Respondent.)

CASE NO. 227-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:

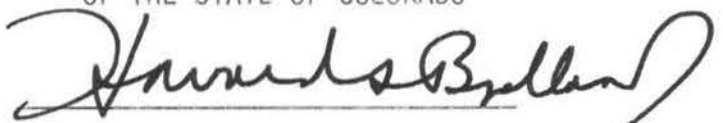


That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on September 14 19 71, at which time and place proper evidence may be presented.

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 30th day of July 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
Certificate No. PUC 6396

Paul & Dorma Hendryx
Box A
Monument, Colorado 80132

Respondent.)

CASE NO. 228-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:

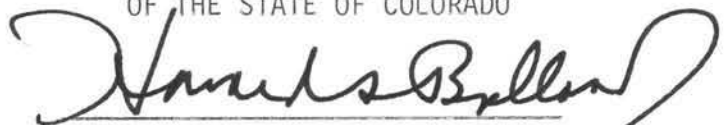
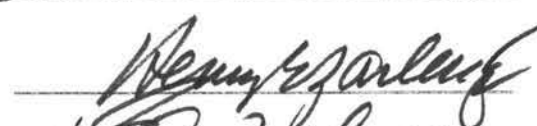
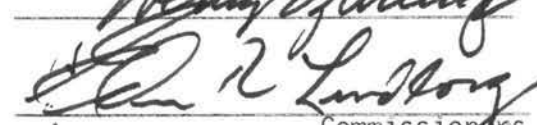
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on September 14 1971, at which time and place proper evidence may be presented.

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 30th day of July 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

Certificate No. PUC 7858

Everett Kraft
Route T, Box 208
Pueblo, Colorado 81004

Respondent.)

CASE NO. 229-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:

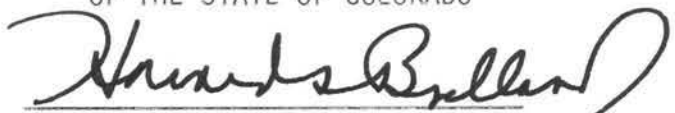
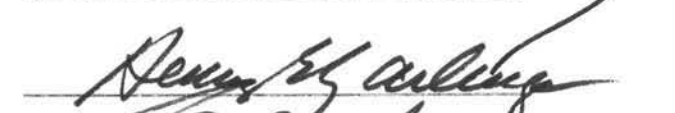
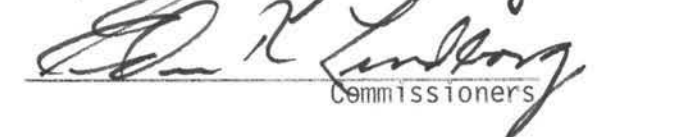
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on September 14, 19 71, at which time and place proper evidence may be presented.

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 30th day of July 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. A-792

Mr. L. A. Griffith

P.O. Box 673

Central City, Colorado 80427

Respondent.)

CASE NO. 230-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:

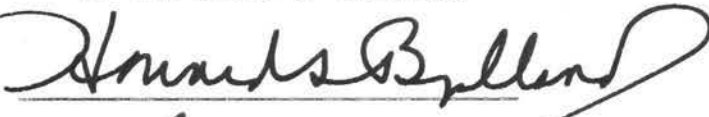
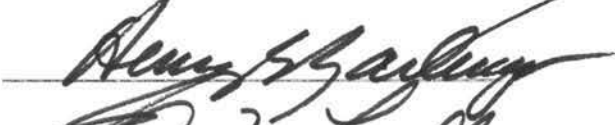

That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on September 14 1971, at which time and place proper evidence may be presented.

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 30th day of July 1971.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF APPLICATION OF)
YELLOW CAB, INC., AND YELLOW CAB,)
INC., LESSEE OF CHECKER CAB, INC.,)
3455 RINGSBY COURT, DENVER,)
COLORADO 80216)

APPLICATION No. 25139

August 3, 1971

STATEMENT AND FINDINGS

BY THE COMMISSION:

On June 16, 1971, Walter M. Simon, Counsel for Yellow Cab, Inc., and Yellow Cab, Inc., Lessee of Checker Cab, Inc., 3455 Ringsby Court, Denver, Colorado 80216, filed tariff Colorado PUC No. 28, increasing the taxicab fares for one way and round trip movement of passengers in the City and County of Denver, and points within a twenty (20) mile radius of Sixteenth and Champa Streets, Denver, Colorado, scheduled to become effective July 16, 1971.

By Decision No. 78172, dated July 14, 1971, the Commission suspended said matter, assigned Investigation and Suspension Docket No. 688, and set the matter for hearing on September 20, 1971.

On July 28, 1971, Counsel for Yellow Cab, Inc., and Yellow Cab, Inc., Lessee of Checker Cab, Inc., filed Application No. 25139, requesting that said tariff be allowed to become effective forthwith on an emergency basis.

The Commission is of the opinion, and so finds, that the application should be denied.

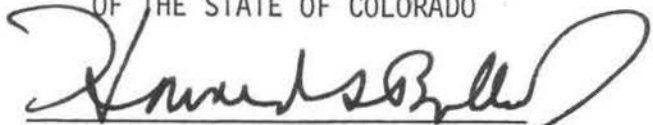
O R D E R

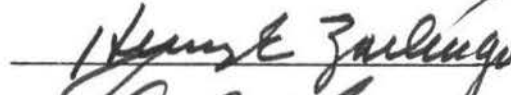
THE COMMISSION ORDERS:

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

2. That Application No. 25139 is hereby denied.
3. That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO






Commissioners

Dated at Denver, Colorado, this
3rd day of August, 1971. av

(Decision No. 78313)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
JAMES L. BOLING, 7615 WEST 9TH AVE.,)	APPLICATION NO. 25108-PP
LAKEWOOD, COLORADO, FOR AUTHORITY)	
TO OPERATE AS A CLASS "B" CONTRACT)	ORDER OF THE COMMISSION
CARRIER BY MOTOR VEHICLE.)	

August 3, 1971

Appearances: Dean E. Norris, Esq., Golden,
Colorado, for Applicant.

It appearing, That by Order of the Commission dated July 21, 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 L. Boling, 7615 West 9th Avenue, Lakewood, 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.


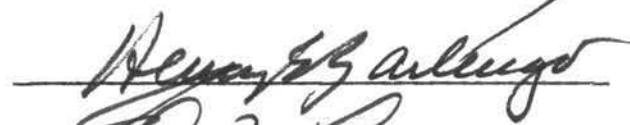
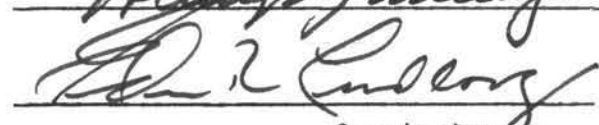
It is further ordered, That this Order is the Permit herein provided for, but it shall not become effective until Applicant has filed

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 3rd day of August, 1971.
hbp

(Decision No. 78314)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CHARLES E. STONE, 5950 E. BELLEVIEW,)
ENGLEWOOD, COLORADO, FOR AUTHORITY)
TO OPERATE AS A CLASS "B" CONTRACT)
CARRIER BY MOTOR VEHICLE.)

APPLICATION NO. 25120-PP

ORDER OF THE COMMISSION

- - - - -
August 3, 1971
- - - - -

It appearing, That by Order of the Commission dated July 21, 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 Charles E. Stone, 5950 E. Belleview, Englewood, 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 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: 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.

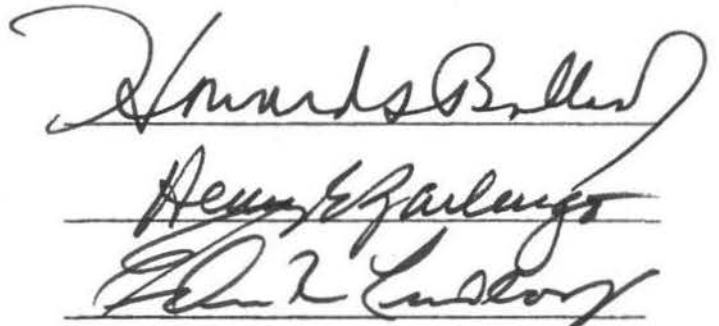
It is further ordered, That this Order is the Permit herein provided for, but it shall not become effective until Applicant has filed

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 3rd day of August, 1971.
hbp

(Decision No. 78315)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
RONALD SANDOVAL, ANDRES HERNANDEZ AND)	
TONY ALATORE ON BEHALF OF THEMSELVES)	
AND OTHERS SIMILARLY SITUATED FOR AN)	
ORDER AUTHORIZING UNION RURAL ELECTRIC)	APPLICATION NO. 25061
ASSOCIATION, INC. TO RENDER STREET)	
LIGHTING SERVICE PURSUANT TO PUC)	
TARIFF NO. 2 - ELECTRIC IN AN UN-)	
INCORPORATED AREA IN WELD COUNTY.)	

August 4, 1971

Appearances: Ronald Sandoval, Route 1, Box 145,
Ft. Lupton, Colorado, and
Andres Hernandez, Route 1, Box 127,
Ft. Lupton, 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 June 21, 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 additional street lighting service in an unincorporated subdivision known as Wattenberg, in Weld County, State of Colorado.

After due and proper notice, the application was set for hearing on Thursday, July 29, 1971, at 9:00 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 by Commissioner Edwin R. Lundborg. 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 sixty-three (63) signatures representing 92.6% of the customers being served by Union in Wattenberg. Also filed was a map showing the general area where additional 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

After due and careful consideration of the entire record in this proceeding, the Commission finds as fact from such record:

1. That it has jurisdiction of the subject matter and of Union Rural Electric Association, Inc.
2. That the preservation of the public peace, health and safety requires the installation of additional street lights in the unincorporated subdivision of Wattenberg as hereinafter described in the order to follow.
3. 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 Commissioner be omitted and the initial decision be made by the Commission as provided by 115-6-9 (6), CRS 1963, as amended.

C O N C L U S I O N

From the above and foregoing findings of fact, the Commission concludes that the preservation of the public peace, health and safety requires the installation of the additional street lights as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

1. That Union Rural Electric Association, Inc., be, and hereby is, authorized and directed to install, operate and maintain five (5) additional non-ornamental, 7,000 lumen, mercury vapor street lights 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.

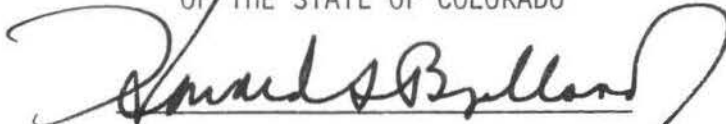
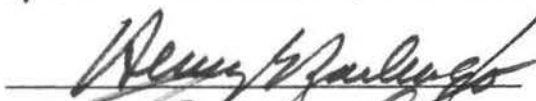

2. That the street lights, five (5) in number, shall be installed in addition to those authorized in Application No. 22870, Decision No. 70535, dated December 12, 1967, bringing the total to sixteen (16), in an area bounded as follows:

Beginning at the northwest corner of the northeast quarter of Sec. 25, Township 1 North, Range 67 West; eastward along county road a distance of 1300 feet; thence south a distance of 1100 feet; thence in a southwesterly direction a distance of 1100 feet more or less; thence due west a distance of 660 feet more or less to the north-south half-section line; thence due north to the northwest corner of the northeast quarter, the point of beginning.

3. That the Recommended Decision of the Hearing Commissioner be, and hereby is, omitted and that 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 4th day of August, 1971.

js

(Decision No. 78316)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
HARRY B. HAWKS, ROUTE 4, BOX 131,)	APPLICATION NO. 25058-PP-Extension
MONTROSE, COLORADO, FOR AUTHORITY)	
TO EXTEND OPERATIONS UNDER CONTRACT)	ORDER OF THE COMMISSION
CARRIER PERMIT NO. B-1365 AND NO.)	
B-1365-I.)	

August 4, 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 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 Harry B. Hawks, Route 4, Box 131, Montrose, Colorado, be, and is hereby, authorized to extend operations under Contract Carrier Permit No. B-1365 and B-1365-I to include the following:

"To extend Contract Carrier Permit No. B-1365 and Permit No. B-1365-I to include Ralph Burress, doing business as 'Burress Petroleum,' Delta, Colorado, as a customer under that portion of said Permit authorizing transportation of petroleum products in bulk, in tank vehicles."

It is further ordered, That henceforth the full and complete authority under Contract Carrier Permit No. B-1365 and B-1365-I, as extended, 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 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: Items Nos. 1, 2, 3, and 4 of this Permit are restricted against the use of tank vehicles when transporting road-surfacing materials.

(5) Scrap metal and junk

Between points within a radius of sixty (60) miles of Montrose, Colorado on the one hand, and all points within the State of Colorado on the other hand;

(6) Uranium, vanadium and ferric oxide ores

From mines located within San Miguel County, Colorado, to railroad loading points at Ridgway, Colorado;

RESTRICTION: Item No. 6 of this Permit is restricted to rendering transportation service for only Mrs. Boyd Robinson.

(7) Farm products (including livestock), coal, farm implements, and used household goods

Between points located within a fifty (50) mile radius of Montrose, Colorado on the one hand, and all points within the State of Colorado on the other hand;

RESTRICTION: Item No. 7 of this Permit is restricted against the transportation of wool in grease.

(8) Peaches

From the Palisade district to the nearest railroad loading points;

(9) Petroleum products in bulk

Between points within a fifty (50) mile radius of Montrose, Colorado, on the one hand, and all points within the State of Colorado, on the other hand;

RESTRICTION: Item No. 9 of this Permit is restricted as follows:

(a) To rendering transportation service for only the following named customers:

1. Fellin Bros.
2. W. H. Hill
3. Consumers Gas & Oil Cooperative, Delta, Colorado
4. Montrose Consumer Oil Corporation, Montrose, Colorado
5. Consumers Gas & Supply Company, Olathe, Colorado
6. Ralph Burrell, doing business as Burrell Petroleum, Delta, Colorado.

(b) To the use of tank trucks only.

(10) Wet ready mix concrete

From supply points located within the Montrose Area to jobs sites located within a seventy-five (75) mile radius of Montrose, Colorado.

- (11) Authority to use equipment in the State of Colorado as a Contract 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."

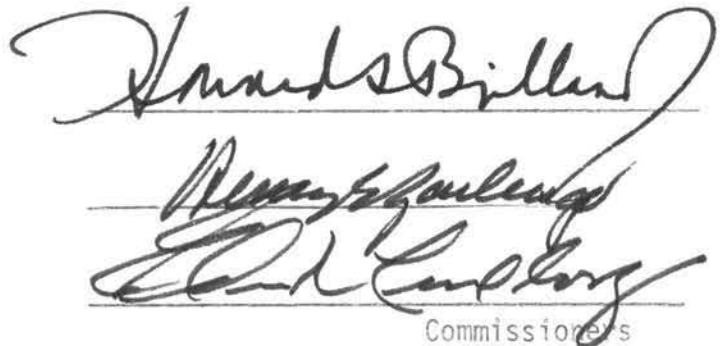
It is further ordered, That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this Permit as deemed advisable.

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 4th day of August, 1971.

(Decision No. 78317)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
JOHN WESLEY BOWLUS, 621 EAST 3RD,)	APPLICATION NO. 25113-PP
CORTEZ, COLORADO, FOR AUTHORITY TO)	
OPERATE AS A CLASS "B" CONTRACT)	ORDER OF THE COMMISSION
CARRIER BY MOTOR VEHICLE.)	

August 4, 1971

It appearing, That by Order of the Commission dated July 21, 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 John Wesley Bowlus, 621 East 3rd, Cortez, 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.


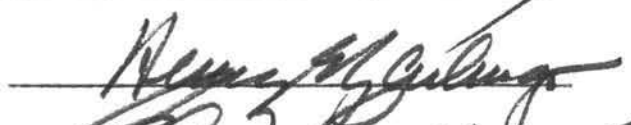

It is further ordered, That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this Permit as deemed advisable.

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 4th day of August, 1971.
hbp

(Decision No. 78318)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
J. C. R. TRUCKING, INC., 8686 WEST)	APPLICATION NO. 25107-PP
UTAH AVENUE, DENVER, COLORADO, FOR)	
AUTHORITY TO OPERATE AS A CLASS)	ORDER OF THE COMMISSION
"B" CONTRACT CARRIER BY MOTOR)	
VEHICLE.)	

- - - - -
August 4, 1971
- - - - -

Appearances: Ben Klein, Esq., Denver,
Colorado, for Applicant.

It appearing, That by Order of the Commission dated July 21, 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 J. C. R. Trucking, Inc., 8686 West Utah Avenue, 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




Commissioner

Dated at Denver, Colorado,
this 4th day of August, 1971.
hop

(Decision No. 78319)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE CENTRAL NEBRASKA TELEPHONE COMPANY,)
BLAIR, NEBRASKA, FOR: (1) A)
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY TO RENDER TELEPHONE)
SERVICE IN THE STATE OF COLORADO, AND)
(2) APPROVAL OF ITS VENANGO, NEBRASKA,)
EXCHANGE RATES TO APPLY FOR LIKE CLASS)
OF SERVICE RENDERED IN THE STATE OF)
COLORADO.)

APPLICATION NO. 24841

August 5, 1971

Appearances: Thomas J. Kerwin, Esq., Hodges,
Harrington, Kerwin & Otten,
Attorneys at Law, Denver,
Colorado, and
Clark O'Hanlon, Esq., O'Hanlon
and Martin, Attorneys at Law,
Blair, Nebraska, for Applicant;
Sherman E. Walrod, Esq., Holyoke,
Colorado, and
Daryl D. Kropp, Holyoke, Colorado,
for Phillips County Telephone Company;
James M. McGinnis, Haxtun, Colorado,
for Haxtun Telephone Company;
M. E. Koontz, Amherst, Colorado, pro se;
Vernell Meinte, Amherst, Colorado, pro se;
J. M. McNulty, Denver, Colorado, of
the Staff of the Commission.

PROCEDURE AND RECORD

The above-entitled application of the Central Nebraska Telephone Company (Applicant) was filed with the Commission on March 12, 1971. By this application, Applicant seeks an order from this Commission granting a Certificate of Public Convenience and Necessity to render telephone service in the State of Colorado, and in addition to also have approved by this Commission its Venango, Nebraska exchange rates for like service rendered in the State of Colorado.

After due and proper notice, the application was set for hearing on July 12, 1971, at 10 o'clock a.m., in the Hearing Room of the Commission,

500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at which time and place the application was heard by Commissioner Edwin R. Lundborg, to whom the matter was duly assigned pursuant to law. This application was heard on a consolidated record with Application No. 24818 of the Phillips County Telephone Company. Said company also seeks a Certificate of Public Convenience and Necessity to operate as a telephone utility in Colorado. Applicant introduced Exhibits 1 through 7 inclusive, which were duly admitted into evidence. Exhibit 8, being the Articles of Incorporation, was late filed. Mr. Leroy Seickmeyer, Chief Accountant, testified on behalf of Applicant. Mr. M. E. Koontz, Manager of the Amherst Cooperative Elevator, Inc., and Mr. Vernell Meinte, Manager of the Amherst Co-op Oil Company testified on behalf of their respective cooperatives.

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

FINDINGS OF FACT

From the record herein, the Commission finds as fact that:

1. Applicant is a corporation, and is a public utility rendering telephone service to eighteen (18) customers in Colorado from its Venango, Nebraska exchange.
2. Applicant has filed, as a late Exhibit, its Articles of Incorporation.
3. Applicant has been rendering rural telephone service in portions of Sedgwick and Phillips Counties, State of Colorado, for at least thirty (30) years with lines extending out from its Venango, Nebraska Central Office.
4. Applicant is seeking a Certificate of Public Convenience and Necessity to render telephone service in an area set forth in Exhibit 1. The area described in said Exhibit is in partial conflict as to the territory in parts of Sections 15, 16, 17, 20, 21 and 22, T-9N, R-43W, with Application No. 24818 of Phillips County Telephone Company since both Applicants are claiming the area. Applicant is presently serving

two (2) customers in the disputed territory, i.e., Darris Cumming and Max Fulscher. These two customers also have telephone service from Phillips County Telephone Company. Phillips County Telephone Company, in addition to serving the above two customers, has three (3) other customers in this territory while Applicant only has the two customers mentioned above. If the territory is granted to Applicant it could continue its service to the existing two customers, but Phillips County would lose three of its customers and an extension of facilities by Applicant would be required to serve these customers. Since both parties are requesting the area in question, and since the two customers mentioned above now have dual service, we will permit in the Order to follow herein that the Applicant may continue to serve these two customers while the territory is granted to Phillips County, provided, however, that when these two existing customers terminate service with Applicant it may no longer serve these two locations for subsequent applicants. The Order to follow will be permissive in that Applicant will be granted permission to serve these customers, but, if it is not economically feasible to do so under the conditions outlined, it may refuse service since Phillips County will be required to serve all customers within its certificated area.

5. There are two other customers presently receiving service from Applicant in addition to the two mentioned herein and are also being served by Phillips County. However, these two customers, i.e., Amherst Cooperative Elevator, Inc., and Amherst Co-op Oil Company, are located approximately five (5) miles from the area sought to be certificated to Applicant. Exhibit 2 (Agreement), introduced at the hearing by Applicant, provides in effect that the Applicant will abandon service to the elevator and oil cooperatives and, in turn, Phillips County will abandon service to the Dudden Elevator Company which it serves in Venango, Nebraska.

It would not be economically feasible to install new underground facilities approximately five (5) miles from the certificated area to the above named customers at the rates proposed. Mr. Vernell Meinte, Manager of the Amherst Co-op Oil Company, and Mr. M. E. Koontz, Manager of the Amherst

Cooperative Elevator, Inc., both indicated their respective needs for dual telephone service. Both witnesses have had duplicate telephone service for many years and this is very advantageous to them since their members reside in the area around Amherst. By having two phones they could contact most of their members without the necessity for toll calls. Certain testimony was given to the effect that their customers would be willing to contribute toward the cost of construction in order to maintain dual telephone service. This situation, however, is not quite the same as the situation referred to formerly, since the territory where the two cooperatives are located is being claimed only by Phillips County Telephone Company and not by the Applicant. The purpose of granting exclusive certificates for service areas is to prevent duplication of facilities and to eliminate competition between companies and service to the same customers. While it is true that these customers have had duplicate service for many years, the interest of the public can best be served in this instance by granting exclusive certificates and to terminate the duplication. No one is being deprived of telephone service because calls may be made via the toll network to any customer with a telephone.

6. Applicant has obtained a loan from the Rural Electrification Administration in Washington to rebuild its telephone system in Nebraska and that part of its Colorado properties in its Venango, Nebraska exchange. Applicant will place all of its rural facilities underground and offer only private-line service to customers. Its present rates for rural multi-party service in Colorado is \$4.00 per month for residential, and \$5.00 per month for multi-party business with a 25¢ prompt payment discount on the exchange rates. Under its proposed rates for single party service, no prompt payment discount will be offered and the one-party business rate will be \$8.25 per month, with the one-party residential rate being \$5.50 per month. After the new equipment is installed, all of the customers will have direct distance dialing which will be a greatly improved service over the current type of service. The amount of the loan obtained was \$1,550,000.00.

part of which will be used to retire certain existing long-term debt. The balance will be used primarily for new construction. Applicant is in the process of installing its new underground system which it hopes to complete by October 1, 1971. Construction will probably start in the Venango exchange to its customers in the Colorado area approximately by September 1, 1971. Applicant proposed to serve about eighteen (18) customers in Colorado, six of which are presently being served on service station lines. Wide publicity has been given to the new proposed rates applicable when the underground system is completed. No Colorado customer has voiced an objection to said rates. The rates have been predicted on the additional investment to render the new type service together with projected income and expenses. It is hoped that with direct distance dialing the customers will be able to use long distance toll calls more frequently than in the past which, in turn, should bring in additional revenue.

7. Applicant, at December 31, 1970, had total assets of \$970,625; total equity of \$783,323; and long-term debt outstanding of \$142,628. Applicant has been rendering telephone service for approximately thirty (30) years in the States of Colorado and Nebraska. It is capable of rendering adequate telephone service and is also financially able to do so.

8. The rates Applicant is presently using to render telephone service in Colorado should be approved and the Applicant should file these rates forthwith on the forms prescribed by the Commission. Applicant should also be permitted to file new rates to become effective at the time it inaugurates its new service in its Venango exchange and should supersede the present rates. The new rates to be applicable in Colorado in the Venango exchange are:

Single-party residence service-----	\$5.50 per month
Single-party business service-----	\$8.25 per month

9. Public convenience and necessity requires that Applicant be granted a certificate to provide telephone utility service in the area sought in this application except, however, in the area described in above

Finding #4 where service is provided for by the Phillips County Telephone Company.

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 Commissioner be omitted and the initial decision be made by the Commission as provided by CRS 1963, 115-6-9 (6), as amended.

C O N C L U S I O N

That the instant application should be granted in part; and a Certificate of Public Convenience and Necessity should be issued subject to the conditions enumerated in the Order to follow.

O R D E R

THE COMMISSION ORDERS THAT:

1. A Certificate of Public Convenience and Necessity be, and hereby is, granted to Applicant to render telephone service in the area set forth as follows:

Beginning at the Colorado-Nebraska boundary in the Northeast corner of Section twenty (20), Township ten (10) North, Range forty-two (42) West; Thence West two (2) miles more or less to the Northwest corner of Section nineteen (19), Township ten (10) North, Range forty-two (42) West; Thence South one (1) mile to the Southwest corner of Section nineteen (19), Township ten (10) North, Range forty-two (42) West; thence West two (2) miles to the Southwest corner of Section twenty-three (23) Township ten (10) North, Range forty-three (43) West; thence South two (2) miles to the Southwest corner of Section thirty-five (35), Township ten (10) North, Range forty-three (43) West; thence West one (1) mile to the Southwest corner of Section thirty-four (34), Township ten (10) North, Range forty-three (43) West; thence South a distance of one-and-one fourth (1-1/4) miles into Section ten (10), Township nine (9) North, Range forty-three (43) West; thence one-half (1/2) mile East in Section ten (10), Township nine (9) North, Range forty-three (43) West; thence two (2) miles South into Section twenty-two (22), Township nine (9) North, Range forty-three (43) West; thence East two (2) miles into Section twenty-four (24), Township nine (9) North, Range forty-three (43) West; thence South one-and-one fourth (1-1/4) miles into Section twenty-five (25) Township nine (9) North, Range forty-three (43) West; thence East two and one-half (2-1/2) miles more or less to the Colorado-Nebraska boundary into Section twenty-nine (29), Township nine (9) North, Range forty-two (42) West; thence North seven and one-half (7-1/2) miles on the Colorado-Nebraska boundary, Township ten (10) North, Range forty-two (42) West, which is the point of beginning.

2. Applicant be, and hereby is, permitted to file within twenty (20) days of the effective date of this Order its existing rates for telephone service in Colorado as rendered from its Venango, Nebraska Exchange on the forms prescribed by the Commission.

3. Applicant be, and hereby is, permitted to file its proposed rates for telephone service in Colorado from its Venango, Nebraska Exchange to become effective when said Venango, Nebraska Exchange is cut over to the new service; and that these rates shall be filed with the Commission at least ten (10) days before the effective date.

4. Applicant be, and hereby is, permitted to render telephone service in the territory certificated to Phillips County Telephone Company to Max Fulscher and Darris Cumming if the rendering of such service is economically feasible and, if instituted, to be continued only while these two customers request the service and is not to be granted to any subsequent applicants at these two locations.

5. Applicant be, and hereby is, permitted to abandon service to the Amherst Cooperative Elevator Inc., and the Amherst Co-op Oil Company at such time as it institutes its new service from its Venango, Nebraska Exchange.

6. Applicant be, and hereby is, permitted to abandon service to the six (6) switcher customers and, in lieu thereof, connect them as regular customers.

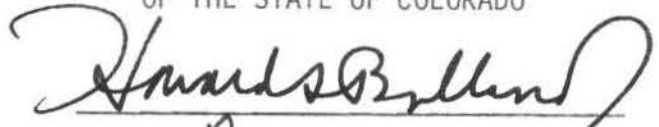
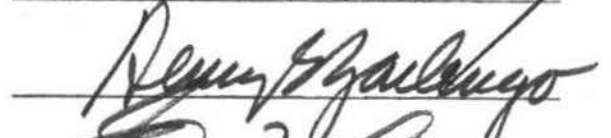

7. Applicant shall keep its books and accounts and conduct of its operations in conformance with the Rules and Regulations of this Commission.

8. Applicant shall file with the Commission -- within twenty (20) days of the effective date of this Order -- its Designation of Agent for the Service of Process on forms prescribed by the Commission.

9. That the within Decision and Order shall be the initial Decision and Order of the Commission as provided in Chapter 115-6-9 (6), CRS 1963, as amended.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 5th day of August, 1971.

js

(Decision No. 78320)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE PHILLIPS COUNTY TELEPHONE COMPANY,)
HOLYOKE, COLORADO, A COLORADO)
CORPORATION, FOR A CERTIFICATE OF)
PUBLIC CONVENIENCE AND NECESSITY)
(NON CARRIER).)

APPLICATION NO. 24818

- - - - -
August 5, 1971
- - - - -

Appearances: Sherman E. Walrod, Esq.,
Holyoke, Colorado, and
Daryl D. Kropp, Holyoke,
Colorado, for Applicant;
Thomas J. Kerwin, Esq., Hodges,
Harrington, Kerwin & Otten,
Attorneys at Law, Denver,
Colorado, and
Clark O'Hanlon, Esq., O'Hanlon
and Martin, Attorneys at
Law, Blair, Nebraska, for
Central Nebraska Telephone Company;
James M. McGinnis, Haxtun, Colorado,
for Haxtun Telephone Company;
M. E. Koontz, Amherst, Colorado, pro se;
Vernell Meinte, Amherst, Colorado, pro se;
J. M. McNulty, Denver, Colorado, of
the Staff of the Commission.

PROCEDURE AND RECORD

The above-entitled application of the Phillips County Telephone Company (Applicant) was filed with the Commission on February 24, 1971. By this application, Applicant seeks an order from this Commission granting a Certificate of Public Convenience and Necessity to render telephone service in portions of Phillips, Sedgwick and Yuma Counties all--being in the State of Colorado.

After due and proper notice, the application was set for hearing on July 12, 1971, at 10:00 a.m., in the Hearing Room of the Commission, 500

Columbine Building, 1845 Sherman Street, Denver, Colorado, at which time and place the application was heard by Commissioner Edwin R. Lundborg, to whom the matter was duly assigned, pursuant to law. This application was heard on a consolidated record with Application No. 24841 of the Central Nebraska Telephone Company which company also seeks a Certificate of Public Convenience and Necessity to operate as a telephone utility in the State of Colorado. Applicant introduced into evidence, the following Exhibits:

Exhibit 1 - Description of the territory desired to be certificated.

Exhibit 2 - Map of the territory in accordance with the above description.

Exhibit 3 - Articles of Incorporation and the Amendments thereto.

Exhibit 4 - Financial Statement of Applicant as of December 31, 1970.

Mr. Daryl D. Kropp, Manager of the Phillips County Telephone Company, testified on behalf of the Applicant. Mr. M. E. Koontz, Manager of the Amherst Cooperative Elevator, Inc., and Mr. Vernell Meinte, Manager of the Amherst Co-op Oil Company, testified on behalf of their respective cooperatives.

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

FINDINGS OF FACT

From the record herein, the Commission finds as fact that:

1. Applicant is a not-for-profit Colorado corporation organized on co-operative basis and its Articles of Incorporation, together with its Amendments thereto, were filed as Exhibit 3 herein.
2. Applicant has been rendering telephone service to its members in portions of Phillips, Sedgwick and Yuma Counties -- all being in the State of Colorado -- since 1906.

3. Applicant is seeking a Certificate of Public Convenience and Necessity for authority to render telephone service in an area set forth in Exhibit 1. The area described in said Exhibit is in partial conflict, as to the territory, in parts of Sections 15, 16, 17, 20, 21 and 22, T-9N, R-43W, with Application No. 24841 of Central Nebraska Telephone Company, since both Applicants are claiming the area. Applicant is presently serving two (2) customers within the disputed area, i.e., Darris Cumming and Max Fulscher. These two customers also have telephone service from Central Nebraska Telephone Company. Applicant, in addition to serving these two customers, has three (3) other customers in this territory, while Central Nebraska has only the two customers mentioned above. In view of the fact that Applicant is serving these two customers, and, in addition, has three other customers in the disputed territory, the area in question will be granted to Applicant herein, and the Order to follow will so provide. Since both Applicant and Central Nebraska are serving the two customers mentioned above, it shall continue to render service to these two customers, since the territory within which they reside is to be granted to the Applicant herein; however, Central Nebraska will also be permitted to serve these two customers as long as they require service, but, when said service terminates, Central Nebraska will not be permitted to serve any other customers at these two locations. Central Nebraska will not be required to serve these two customers, but may continue to do so under the conditions as set forth in our Order in Application No. 24841.

4. Amherst Cooperative Elevator, Inc., and Amherst Co-op Oil Company, at the present time, have duplicated service from Applicant and Central Nebraska Telephone Company. Since these two customers are located

outside the territory requested by Central Nebraska Telephone Company but within the territory requested by the Applicant herein, future telephone service to serve these two customers will be by Applicant herein. Evidence disclosed that it would not be economically feasible for Central Nebraska to continue rendering service to these two customers since the rates would not be sufficient to support the investment for underground telephone service. Since Applicant herein is requesting the territory in question and Central Nebraska is not requesting service to these two customers, Applicant should continue to render service and thereby eliminate duplication of facilities and competition between the two companies involved. By receiving service from Applicant, the customers in question will not be deprived of telephone service, since they can continue to make calls, via the toll network, to any customer with a telephone.

5. Applicant proposed to render telephone service at the same rates it is presently charging, and these rates are as follows:

Within the Base Rate Area	1 party flat rate business-\$6.50 per month
	2 party flat rate business-\$5.50 per month
	1 party flat rate residential-\$4.10 per month
	2 party flat rate residential-\$2.75 per month
Rural multi-party service-\$3.25 per month	

Graded service outside the base rate area has an additional charge of \$.50 per one-quarter (1/4) mile.

Applicant should file its existing rates, and rules and regulations, within twenty (20) days of the effective date of this Order on forms prescribed by this Commission.

6. Applicant is capable of rendering telephone service and is financially able to do so. As of December 31, 1970, Applicant had assets of \$351,661.27; liabilities of \$14,747.03; and members equity \$336,914.24.

7. As a result of the Order to be issued herein, the Applicant will have a common boundary, in part, with the Central Nebraska Telephone Company and also with Mountain States Telephone and Telegraph Company. The Haxtun Telephone Company renders telephone service to the east of the area sought by the Applicant under a certificate of public convenience and necessity granted by this Commission. The Haxtun Telephone Company was represented at the hearing herein, and no objections were advanced by them as to the territory as sought by Applicant.

8. Public convenience and necessity requires that Applicant be permitted to provide telephone service as a public utility in the area sought in this application, subject, of course, to the conditions as stated herein.

9. Applicant's Articles of Incorporation requires each customer to be a member and to pay a membership fee. Under the Certificate of Public Convenience and Necessity to be issued herein, Applicant will be a public utility and will be required to serve all present and future customers in its certificated area without discrimination. A public utility may not make, as a condition of service, a requirement that the customer purchase a membership. Under the Commission's rules, a public utility may require a deposit for the payment of bills, or a construction charge if applicable under its filed extension policy, all as provided in its tariff. Under the Order to follow herein, Applicant will be required to grant service to all customers without the necessity or the purchase of a membership. Applicant may solicit membership from its customers on a voluntary basis; however, the fee to be charged shall be as filed in its tariff should the customer elect to become a member.

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 Commissioner be omitted and the initial decision be made by the Commission as provided in CRS 1963, 115-6-9 (6), as amended.

C O N C L U S I O N

That the instant application should be granted and that a Certificate of Public Convenience and Necessity be issued to Applicant to render telephone service in the area as set forth in the following Order.

O R D E R

THE COMMISSION ORDERS THAT:

1. A Certificate of Public Convenience and Necessity be, and hereby is, granted to Applicant to render telephone service in the area set forth as follows:

Beginning at a point in the Southwest corner of Section Three (3), Township Four (4) North, Range Forty-five (45) West; thence East Three (3) miles to the Southeast corner of Section One (1), Township Four (4) North, Range Forty-five (45) West; thence North Two (2) miles to the Southeast corner of Section Twenty-six (26), Township Five (5) North, Range Forty-five (45) West; thence East twelve (12) miles to the Southwest corner of Section Twenty-five (25), Township Five (5) North, Range Forty-three (43) West; Thence South one (1) mile to the Southwest corner of Section Thirty-six (36), Township Five (5) North, Range Forty-three (43) West; thence approximately three-quarters (3/4) mile East to the Northwest corner of Section Five (5), Township Four (4) North, Range Forty-two (42) West; thence South one (1) mile to the Southwest corner of Section Five (5), Township Four (4) North, Range Forty-two (42) West; thence East approximately two and one-quarter (2 1/4) miles to the point where the Colorado-Nebraska State line intersects Section Three (3), Township Four (4) North,

Range Forty-two (42) West; thence North approximately twenty-six and three-quarters ($26 \frac{3}{4}$) miles to the mid-point of the East side of Section Twenty-nine (29), Township Nine (9) North, Range Forty-two (42) West; thence West one and five-eighths ($1\frac{5}{8}$) miles to the center point of Section Twenty-five (25), Township Nine (9) North, Range Forty-three (43) West; thence North one and one-quarter ($1\frac{1}{4}$) mile to the center point of the North One-half ($\frac{1}{2}$) of Section Twenty-four (24), Township Nine (9) North, Range Forty-three (43) West; thence West two (2) miles to the center point of the North One-half ($\frac{1}{2}$) of Section Twenty-two (22), Township Nine (9) North, Range Forty-three (43) West; thence North two (2) miles to the center point of the North One-half ($\frac{1}{2}$) of Section Ten (10), Township Nine (9) North, Range Forty-three (43) West; thence one-half ($\frac{1}{2}$) mile West to the North One-quarter ($\frac{1}{4}$) of the East line of Section Nine (9), Township Nine (9) North, Range Forty-three (43) West; thence North one-quarter ($\frac{1}{4}$) mile to the Northeast corner of Section Nine (9), Township Nine (9) North, Range Forty-three (43) West; thence West one (1) mile to the Northwest corner of Section Nine (9), Township Nine (9) North, Range Forty-three (43) West; thence South one (1) mile to the Southeast corner of Section Eight (8), Township Nine (9) North, Range Forty-three West; thence three (3) miles West to the Northwest corner of Section Thirteen (13), Township Nine (9) North, Range Forty-four (44) West; thence South one (1) mile to the Southwest corner of Section Thirteen (13), Township Nine (9) North, Range Forty-four (44) West; thence West one (1) mile to the Southeast corner of Section Fifteen (15), Township Nine (9) North, Range Forty-four (44) West; thence one-half ($\frac{1}{2}$) mile North to the mid point of the East line of Section Fifteen (15), Township Nine (9) North, Range Forty-four (44) West; thence West four (4) miles to the mid point of the East line of Section Thirteen (13), Township Nine (9) North, Range Forty-five (45) West; thence North one and one-half ($1\frac{1}{2}$) miles to the Northeast corner of Section Twelve (12), Township Nine (9) North, Range Forty-five (45) West; thence West six and one-half ($6\frac{1}{2}$) miles to the mid point of the North line of Section Twelve (12), Township Nine (9) North, Range Forty-six (46) West; thence South three and one-half ($3\frac{1}{2}$) miles to the

center point of Section Twenty-five (25), Township Nine (9) North, Range Forty-six (46) West; thence East one and one-half ($1\frac{1}{2}$) miles to the mid point of the West Side of Section Twenty-nine (29), Township Nine (9) North, Range Forty-five (45) West; thence South one-half ($\frac{1}{2}$) mile to the Southwest corner of Section Twenty-nine (29), Township Nine (9) North, Range Forty-five (45) West; thence West two (2) miles to the Northwest corner of Section Thirty-six (36), Township Nine (9) North, Range Forty-six (46) West; thence South one (1) mile to the Southwest corner of Section Thirty-six (36), Township Nine (9) North, Range Forty-six (46) West; thence West approximately three-quarter ($\frac{3}{4}$) mile to the Northwest corner of Section One (1), Township Eight (8) North, Range Forty-six (46) West; thence South three-quarter ($\frac{3}{4}$) mile to the Northwest corner of the Southwest One-quarter ($\frac{1}{4}$) of Section One (1), Township Eight (8) North, Range Forty-six (46) West; thence East one and one-half ($1\frac{1}{2}$) miles to the Northwest corner of Southeast Quarter ($\frac{1}{4}$) of Section Six (6), Township Eight (8) North, Range Forty-five (45) West; thence South three and one-half ($3\frac{1}{2}$) miles to the mid point of North side of Section Thirty (30), Township Eight (8) North, Range Forty-five (45) West; thence three-quarter ($\frac{3}{4}$) mile West to the East one-quarter ($\frac{1}{4}$) mile point on the North side of Section Twenty-five (25), Township Eight (8) North, Range Forty-six (46) West; thence South six (6) miles to the East one-quarter ($\frac{1}{4}$) mile point of the North side of Section Twenty-five (25), Township Seven (7) North, Range Forty-six (46) West; thence one and one-quarter ($1\frac{1}{4}$) miles West to the mid point of the North side of Section Twenty-six (26), Township Seven (7) North, Range Forty-six (46) West; thence South two (2) miles to the mid point of the North side of Section Two (2), Township Six (6) North, Range Forty-six (46) West; thence West Three-quarter ($\frac{3}{4}$) mile to the East one-quarter ($\frac{1}{4}$) mile point of the North side of Section Three (3), Township Six (6) North, Range Forty-six (46) West; thence South one-half ($\frac{1}{2}$) mile to the mid point of the South side of the Northeast one-quarter ($\frac{1}{4}$) of Section Three (3), Township Six (6) North, Range Forty-six (46) West; thence East three-quarter ($\frac{3}{4}$) mile to the center point of Section Two (2), Township Six (6) North, Range Forty-six (46) West; thence South one and one-half ($1\frac{1}{2}$) miles to mid point of North side of Section Fourteen (14), Town-

ship Six (6) North, Range Forty-six (46) West; thence West one and one-quarter ($1 \frac{1}{4}$) miles to the West one-quarter ($\frac{1}{4}$) mile point of the North side of Section Fifteen (15), Township Six (6) North, Range Forty-six (46) West; thence South one-half ($\frac{1}{2}$) mile to the mid point of North side of Southwest one-quarter ($\frac{1}{4}$) of Section Fifteen (15), Township Six (6) North, Range Forty-six (46) West; thence East one and one-quarter ($1 \frac{1}{4}$) miles to the center point of Section Fourteen (14), Township Six (6) North, Range Forty-six (46) West; thence South Four and one-half ($4 \frac{1}{2}$) miles to the mid point of South side of Section Two (2), Township Five (5) North, Range Forty-six (46) West; thence East one and one-half ($1 \frac{1}{2}$) miles to the Southwest corner of Section Six (6), Township Five (5) North, Range Forty-five (45) West; thence three and one-quarter ($3 \frac{1}{4}$) miles South to the North one-quarter ($\frac{1}{4}$) mile point of the West side of Section Thirty (30), Township Five (5) North, Range Forty-five (45) West; thence East two (2) miles to the North one-quarter ($\frac{1}{4}$) mile point of the West side of Section Twenty-eight (28), Township Five (5) North, Range Forty-five (45) West; thence Two and three-quarter ($2 \frac{3}{4}$) miles South to the Southwest corner of Section Three (3), Township Four (4) North, Range Forty-five (45) West, which is the point of beginning.

2. Applicant shall file within twenty (20) days of the effective date of this Order a tariff containing its existing rates, rules and regulations for telephone service in Colorado on forms prescribed by this Commission; and shall thereafter make no charge or impose any rule or regulation as a condition for service except as provided in such tariff, or as such tariff may be amended or changed from time to time in accordance with the rules of this Commission.

3. Applicant shall keep its books and accounts and conduct of its operations in conformance with the Rules and Regulations of this Commission.

4. Applicant shall file with the Commission within twenty (20) days of the effective date of this Order, its Designation of Agent for Service of Process on forms prescribed by this Commission.

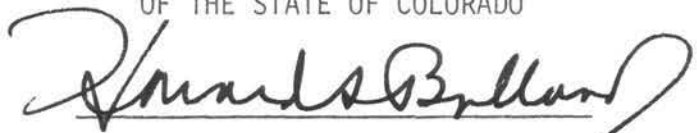
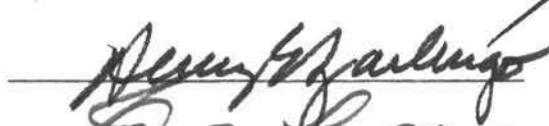

5. Applicant shall serve the public under the Certificate to be granted herein without the requirement of a membership and the payment of a fee therefor as a condition of service.

6. Applicant shall amend its Articles of Incorporation and Bylaws, if necessary, to delete the requirement that all customers receiving telephone service be required to be members of the Phillips County Telephone Company and any other provision in conflict herewith. Applicant be, and hereby is, granted one year from the effective date of this Order, within which to make the above amendments and to file a copy of the Articles of Incorporation, as amended, within said period of time.

7. The within Decision and Order shall be the initial Decision and Order of the Commission as provided in Chapter 115-6-9 (6), CRS 1963, as amended.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 5th day of August, 1971.
js

(Decision No. 78321)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER	)	CASE NO. 156-AR
CERTIFICATE NO. 1416)	
	)	ORDER GRANTING EXCEPTIONS
BY: MORGAN COMPANY	)	TO RECOMMENDED DECISION
311 EAST KIOWA AVENUE	)	NO. 78202
FORT MORGAN, COLORADO 80701)	

August 5, 1971

Appearances: Ralph H. Knull, Denver, Colorado,
of the Staff of the Commission.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On July 20, 1971, by Decision No. 78202, Christian O. Igenbergs, Examiner, entered his Recommended Decision in the within matter, which Decision ordered:

- "1. That the authority of Respondent, being Certificate No. 1416, be, and the same hereby is, revoked and cancelled as of August 20, 1971, provided, however, that in lieu of said revocation and cancellation, Respondent:
 - a. File its 1970 Annual Report with this Commission on or before August 20, 1971;
 - b. In addition pay the sum of Fifty Dollars (\$50.00) to the Public Utilities Commission, on or before August 20, 1971, to be deposited to the Public Utilities Commission Motor Carrier Fund No. 4-4318 under and pursuant to the provisions of the Public Utilities Law."

On August 3, 1971, Respondent, by and through its attorney Earl W. Haffke, filed its Exceptions to the Recommended Decision of the Examiner, averring, inter alia, that the former holder of the Certificate, Jacob Rusch, died on May 22, 1971; that the said Recommended Decision was the first notice of any sort received by the survivors of Respondent advising Respondent that it had failed to file an annual report; that the survivors of Jacob Rusch immediately notified counsel for Respondent and that the annual report for 1970 was being filed. Said annual report was received by the Commission on August 3, 1971.

The Commission states and finds that the Exceptions to the Recommended Decision of the Examiner, being Decision No. 78202, should be granted; that Certificate of Public Convenience and Necessity PUC No. 1416 should not be revoked and should remain in full force and effect; and the penalty assessment of fifty dollars (\$50.00) should be waived, all as set forth in the Order following.

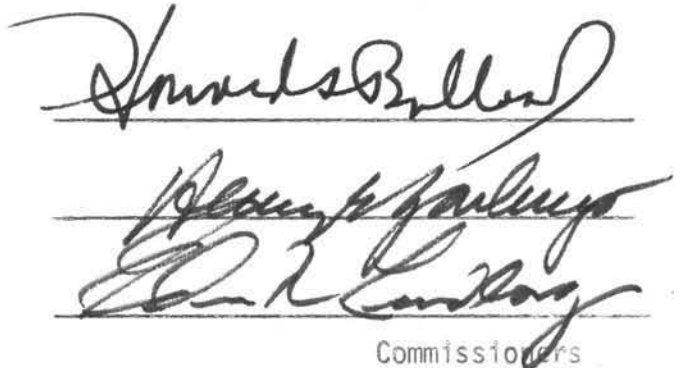
O R D E R

THE COMMISSION ORDERS:

1. That the Exceptions to Recommended Decision No. 78202, dated July 20, 1971, be, and hereby are, granted.
2. That the operating rights of Certificate of Public Convenience and Necessity PUC No. 1416 be, and hereby are, to remain in full force and effect and be fully operative.
3. That the penalty assessment of fifty dollars (\$50.00) be, and hereby is, waived.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 5th day of August, 1971.
hbp

(Decision No. 78322)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ROCKY MOUNTAIN HELICOPTERS OF)
COLORADO, INC., A COLORADO CORPORATION,)
1426 EAST 800 NORTH, OREM, UTAH 84057,)
FOR A CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY TO OPERATE AS A COMMON)
CARRIER BY HELICOPTER.)

APPLICATION NO. 24953

- - - - -
August 5, 1971
- - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Under date of April 20, 1971, Applicant filed the above-entitled application with this Commission requesting the issuance of a certificate of public convenience and necessity to operate as a common carrier by helicopter as specifically set forth in said application. The Commission assigned No. 24953 to the 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 Division 1, District Court Chambers, Court House, Grand Junction, Colorado, on Wednesday, August 11, 1971 at 10 a.m.

On May 28, 1971, Betty J. Clark and Patricia J. Sullivan, doing business as "Mile Hi Aviation", filed a protest to the above-captioned application.

On July 15, 1971, Sky Choppers, Inc., by its attorney John P. Thompson, filed with the Commission a Petition for leave to be substituted as protestant in the above-captioned proceeding in lieu of Betty J. Clark and Patricia J. Sullivan, doing business as "Mile Hi Aviation," stating as its reason therefor is due to the fact that on July 16, 1971, by Decision No. 77954, the Commission authorized the transfer of Certificate of Public Convenience and Necessity ACH-28 from Betty J. Clark and Patricia J. Sullivan doing business as "Mile Hi Aviation" to Sky Choppers, Inc.

The Commission states and finds that the request for substitution of protestant from Betty J. Clark and Patricia J. Sullivan doing business as "Mile Hi Aviation" to Sky Choppers, Inc. is in the public interest and should be granted as set forth in the Order following.

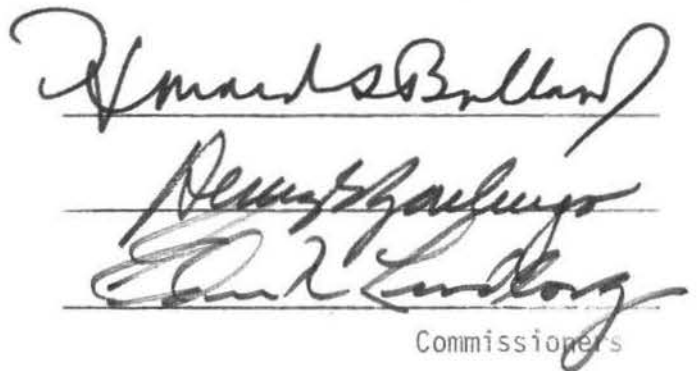
O R D E R

THE COMMISSION ORDERS THAT:

Sky Choppers, Inc. be, and hereby is, substituted as the protestant in Application No. 24953 in lieu of Betty J. Clark and Patricia J. Sullivan doing business as "Mile Hi Aviation."

This Order shall be effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 5th day of August, 1971.
hbp

(Decision No. 78323)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
GLENN C. BRAND, DOING BUSINESS AS)	APPLICATION NO. 25001-Extension
"MECHANIZED PACK TRIPS," BOX 116,)	
ASPEN, COLORADO, FOR AUTHORITY TO)	ORDER OF THE COMMISSION
EXTEND OPERATIONS UNDER CERTIFICATE)	
OF PUBLIC CONVENIENCE AND NECESSITY)	
PUC NO. 4052.)	

- - - - -
August 5, 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 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 the present or future public convenience and necessity requires or will require Applicant's transportation service as hereinafter extended and ordered;

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 Glenn C. Brand, doing business as "Mechanized Pack Trips," Box 116, Aspen, Colorado, be, and is hereby, authorized to extend operations under Certificate of Public Convenience and Necessity PUC No. 4052 to include the following:

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

From Aspen, Colorado, west on Colorado Highway No. 82 to its junction with the Ashcroft Road; thence south on the Ashcroft Road to Ashcroft; thence via Taylor Pass and/or Pearl Pass to Crested Butte, Colorado, with return over Schofield Pass via Gothic, through Crystal, Colorado, and Marble, Colorado, to Colorado Highway No. 133; thence north on Colorado Highway No. 133 through Redstone, Colorado, to the junction of Colorado Highway No. 133 and Colorado Highway No. 82 near Carbondale, Colorado; thence east on Colorado Highway No. 82 to Aspen, Colorado."

It is further ordered, That henceforth the full and complete authority under Certificate of Public Convenience and Necessity PUC No. 4052, as extended, shall read and be as follows, to wit:

"(1) Transportation -- in charter service -- of

Passengers and their baggage, for the purpose of entertainment and sports,

Between Aspen, Colorado and:

1. Maroon Lake
2. End of Cunundrum Creek Road
3. Snowmass Falls
4. Taggart Hutt
5. Grotto's Camp Ground
6. Lincoln Gulch
7. Warren Lake
8. End of Hunter Creek Road
9. End of Woody Creek Road
10. Woods Lake Resort
11. Highland Park, and
12. The end of Bold Knobb Road.

(2) Transportation -- in sightseeing service -- of

Passengers and their baggage

From Aspen, Colorado, west on Colorado Highway No. 82 to its junction with the Ashcroft Road; thence south on the Ashcroft Road to Ashcroft; thence via Taylor Pass and/or Pearl Pass to Crested Butte, Colorado, with return over

Schofield Pass via Gothic, through Crystal, Colorado and Marble, Colorado to Colorado Highway No. 133; thence north on Colorado Highway No. 133 through Redstone, Colorado, to the junction of Colorado Highway No. 133 and Colorado Highway No. 82 near Carbondale, Colorado; thence east on Colorado Highway No. 82 to Aspen, Colorado."

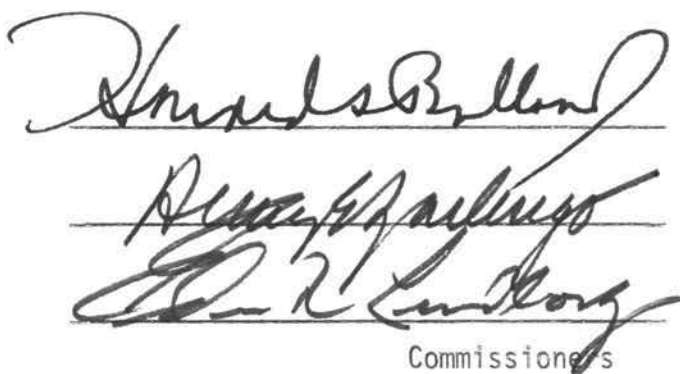
It is further ordered, That Applicant shall file tariffs of rates, rules and regulations as required by law and the rules and regulations of this Commission within twenty days from date hereof.

It is further ordered, That the holder of this Certificate shall operate in accordance with the Order of the Commission except when prevented by Act of God, the public enemy, or extreme conditions.

It is further ordered, That this Order is subject to compliance by the holder of this Certificate 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 5th day of August, 1971.
hbp

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: COLORADO MOTOR CARRIERS')
ASSOCIATION, AGENT, AND ASHTON)
TRUCKING COMPANY REQUEST TO)
WITHDRAW TARIFF PUBLICATIONS)
SCHEDULED TO BECOME EFFECTIVE)
AUGUST 13, 1971 (HEAVY COMMODITIES))

APPLICATION NO. 25152

August 4, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On August 3, 1971, a joint application by Colorado Motor Carriers' Association, Agent (No. 461) and Ashton Trucking Company (No. 2) requesting permission to publish on one day's notice and filing with the Commission, the following changes:

Colorado Motor Carriers' Association:

Eliminate the restrictions published in Items 220 and 270 and on Page 33 of Motor Freight Tariff No. 13, Colorado PUC No. 12*(*The Motor Truck Common Carriers' Association, Agent, Series)

Ashton Trucking Company:

Cancel Tariff No. 9, Colorado PUC No. 9

It is represented that since the publications were made one or more protests have been filed with the Commission.

In view of the protests and the investigation and suspension proceeding which is likely to follow, the carrier has advised that it does not desire to defend the publications at this time, and has decided to ask permission to withdraw or cancel such tariff changes on or before the scheduled effective date.

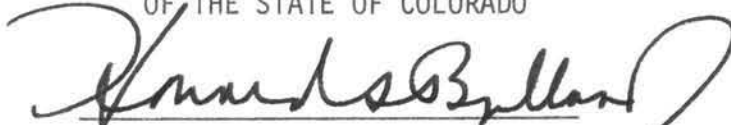
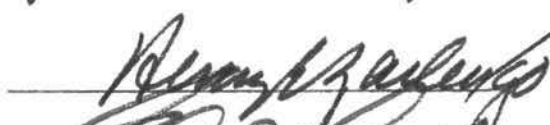
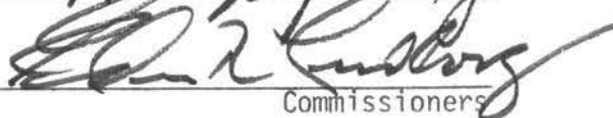
Pursuant to the provisions of Rule 19-C of the Rules of Practice and Procedure, the Commission finds that the request is in the public interest and should be allowed to be published.

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 the petitioners shall publish the changes in rates, rules and provisions as set forth in the Statement hereof upon one (1) day's notice to the Commission and the general public, on or before August 13, 1971. Reference shall be cited on the referred to schedules to the decision number and date of this Order.
3. That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
4th day of August, 1971. av

(Decision No. 78325)

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 PUB-)
LIC CONVENIENCE AND NECESSITY AUTH-)
ORIZING EXTENSION OF OPERATIONS)
UNDER PUC NO. 692 AND PUC NO. 692-I.)

APPLICATION NO. 24713-Extension
ORDER GRANTING ADDITIONAL TIME
TO FILE BRIEFS.

- - - - -
August 4, 1971
- - - - -

Appearances: Edward T. Lyons, Jr., and
Robert G. Shepherd, Jr., Esqs.,
Denver, Colorado, for Applicant.
John R. Barry, Esq., Denver,
Colorado, for The Greyhound Corporation;
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.;
Continental Central Lines, Inc.,
Protestants.
David Butler, Esq., Denver, Colorado,
for Denver-Boulder Bus Company and
Colorado Motorway, Inc., Protestants.
Warren D. Braucher, Esq., Denver,
Colorado, for Rio Grande Motor Way, Inc.,
Protestant.
Melvin Dinner, Esq., Greeley, Colorado,
for Northern Armored Service, Inc.,
Protestant.
John J. Conway, Esq., Denver, Colorado,
for Wandell & Lowe Transfer & Storage Co.,
Protestant.
Herbert M. Boyle, James C. Perrill,
Ira C. Rothgerber, Jr., and Robert S. Slosky,
Esqs., Denver, Colorado, for Wells Fargo
Armored Service Corporation, Intervenor.

STATEMENT AND FINDINGS OF FACT

BY THE HEARING EXAMINER:

Hearing on the above-entitled application was conducted pursuant to notice and concluded on June 15, 1971, in Denver, Colorado. At the conclusion of the hearings in the within matter, the Examiner allowed the parties time to file Simultaneous Briefs until three (3) weeks after the date of filing with the Commission of the original copy of the transcript by the reporter.

The original copy of the transcript was filed by the reporter on July 15, 1971, so that the Briefs became due on August 4, 1971.

On August 3, 1971, counsel for the Continental Bus Companies, Protestants in the within proceeding, filed with the Secretary of the Commission a Motion For Additional Time To File Briefs, requesting an additional twenty (20) days time for the filing. As grounds for the Motion counsel states that the transcript contains more than two thousand (2,000) pages and that there has not been sufficient time to peruse the transcript and complete the Briefs.

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

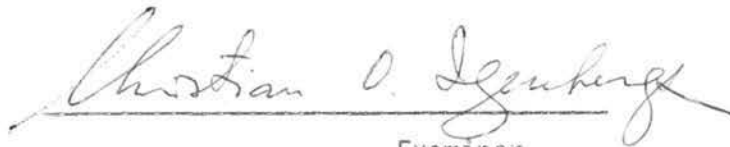
O R D E R

THE EXAMINER ORDERS:

That Applicant and all Protestants and/or Intervenors who actively participated in the hearings be, and hereby are, granted an extension of time to file Simultaneous Briefs in the above-entitled application up to and including August 24, 1971.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Examiner

Dated at Denver, Colorado,
this 4th day of August, 1971.
hbp

(Decision No. 78326)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
CLIFFORD DELBERT REYNOLDS
Route 1
Monte Vista, Colorado 81144

AUTHORITY NO. M 2813
CASE NO. 7090-M-Ins.

August 5, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On July 12, 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.

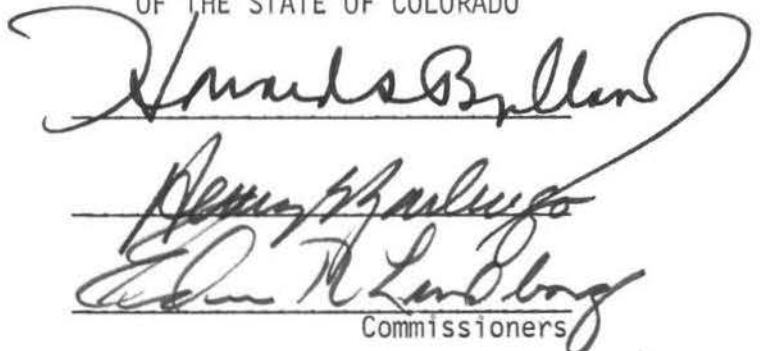
The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

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 5th day of August, 1971

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
CLAD P. CHRISTENSEN)
La Jara, Colorado 81140)

AUTHORITY NO. M 14984
CASE NO. 7194-M-Ins.

August 5, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On July 26, 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.

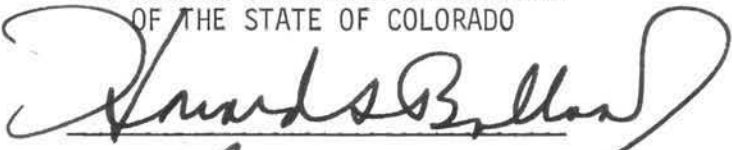
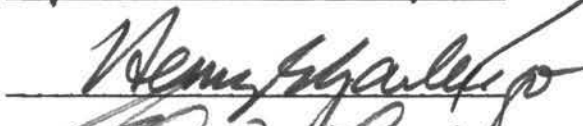

The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

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 5th day of August, 1971 .

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JAMES L. DONNEL AND MARY M. DONNEL,)
DOING BUSINESS AS "DONNEL TRASH)
SERVICE," 1300 PONDEROSA DRIVE, FORT)
COLLINS, COLORADO, FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY)
TO EXTEND OPERATIONS UNDER PUC NO.)
4057.)

APPLICATION NO. 25119-Extension

August 6, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On July 9, 1971, James L. Donnel and Mary M. Donnel, doing business as "Donnel Trash Service," filed the above-captioned application seeking extension of operations under PUC No. 4057. On July 21, 1971, the Commission sent Notice of Application Filed to all interested persons, firms or corporations.

On July 30, 1971, Applicants' attorney Maurice O. Nelson requested the Commission by letter that the above-captioned application be dismissed.

Considering the letter received from Applicants' attorney, it appears proper to the Commission that the instant application should be dismissed.

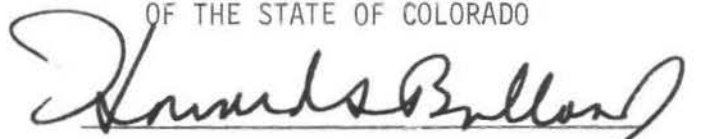
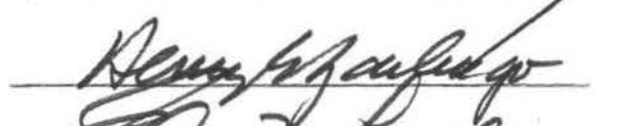

O R D E R

THE COMMISSION ORDERS THAT:

Application No. 25119-Extension be, and the same hereby is, dismissed.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 6th day of August, 1971.

hbp

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JOHN T. BOYER AND GLENN ANDRADE,)
DOING BUSINESS AS "GREELEY TREE)
SERVICE," A 15 N. 6TH AVENUE,)
GREELEY, COLORADO, FOR AUTHORITY)
TO TRANSFER CONTRACT CARRIER)
PERMIT NO. B-6661 TO GLENN ANDRADE,)
DOING BUSINESS AS "GREELEY TREE)
SERVICE," 203 NORTH 6TH AVENUE,)
GREELEY, COLORADO, AND FOR AN ORDER)
AUTHORIZING THE MORTGAGING OF SAID)
PERMIT BY GLENN ANDRADE, DOING)
BUSINESS AS "GREELEY TREE SERVICE,")
TO THE GREELEY NATIONAL BANK,)
GREELEY, COLORADO.)

APPLICATION NO. 25074-PP-Transfer

ORDER OF THE COMMISSION

- - - - -
August 6, 1971
- - - - -

Appearances: John P. Donley, Esq., Greeley,
Colorado, for Applicants.

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 inter-
ested 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.

It further appearing, That Transferee herein seeks authority to encumber Contract Carrier Permit No. B-6661 to the Greeley National Bank, Greeley, Colorado, to secure payment of indebtedness in the amount of Twenty Six Thousand Five Hundred and no/100 Dollars (\$26,500.00), in accordance with certain terms and conditions set forth in the Security Agreement and Financing Statement properly filed with 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 John T. Boyer and Glenn Andrade, doing business as "Greeley Tree Service," A 15 N. 6th Avenue, Greeley, Colorado, be, and hereby are, authorized to transfer all right, title and interest in and to Contract Carrier Permit No. B-6661 to Glenn Andrade, doing business as "Greeley Tree Service," 203 North 6th Avenue, Greeley, 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-6661 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 Glenn Andrade, doing business as "Greeley Tree Service," be, and hereby is, authorized to encumber all right, title, and interest in and to Contract Carrier Permit No. B-6661 to the Greeley National Bank to secure payment of the indebtedness of Twenty Six Thousand Five Hundred and no/100 Dollars (\$26,500.00), as set forth in the Security Agreement and Financing Statement which is made a part of this Order by reference.

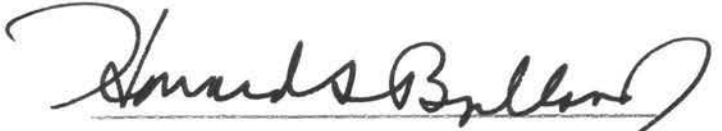

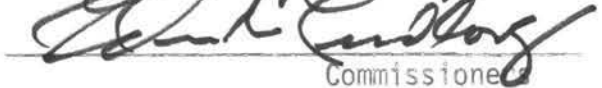
It is further ordered, That said transfer shall become effective only if and when, but not before, said Transferors and Transferee, in writing, have advised the Commission that said Permit has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions 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




Commissioner

Dated at Denver, Colorado,
this 6th day of August, 1971.
hbp

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: THE ISSUANCE OF TEMPORARY	)	APPLICATION 25146
CERTIFICATES OF PUBLIC CONVENIENCE)	
AND NECESSITY UNDER CHAPTER 115-9-4	)	EMERGENCY DISTRICT 7-71
(2), CRS 1963, FOR THE TEMPORARY OR)	
SEASONAL MOVEMENT OF APPLES AND)	
PEACHES.)	

- - - - -
August 6, 1971
- - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Report has been received by the Commission from Lloyd C. Espinosa, Chief of Transportation, Transportation Section of this Commission, indicating that an emergency exists because of the shortage of motor vehicles for the transportation of apples and peaches in the Counties of Delta, Mesa, and Montrose, Colorado.

Request, pursuant to the above, has been made for an Order of the Commission to issue temporary certificates so as to authorize the temporary or seasonal operation of motor vehicles for the purpose of transporting apples and peaches in the Counties as set forth above.

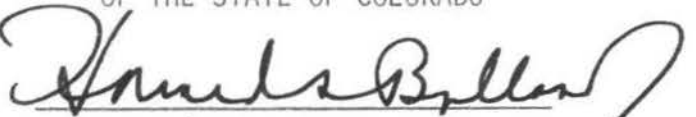
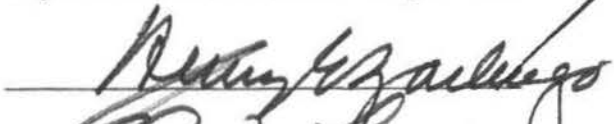

The Commission states and so finds that an emergency exists because of the shortage of motor vehicles for the transportation of apples and peaches in the Counties of Delta, Mesa, and Montrose, Colorado, and that the present or future public convenience and necessity require or will require the issuance of temporary certificates for the temporary or seasonal operation of motor vehicles for the purpose of transporting said commodities, as provided in Chapter 115, Article 9, Section 4 (2), CRS 1963, and as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That temporary certificates be, and hereby are, authorized for the temporary or seasonal operation of motor vehicles for the purpose of transporting apples and peaches in the Counties of Delta, Mesa, and Montrose, State of Colorado; provided, however, that said certificates shall be effective for only a period of NINETY (90) DAYS commencing August 15, 1971.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 6th day of August, 1971.
js

(Decision No. 78331)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF THE)
PUBLIC SERVICE COMPANY OF COLORADO,)
550 - 15TH STREET, DENVER, COLORADO, TO)
ABANDON A CERTAIN ELECTRIC DISTRIBUTION)
LINE LOCATED IN CLEAR CREEK COUNTY,)
COLORADO.)

APPLICATION NO. 25145

- - - - -
August 6, 1971
- - - - -

S T A T E M E N T

BY THE COMMISSION:

Pursuant to Rule No. 26 of the Rules of Practice and Procedure Before the Public Utilities Commission of the State of Colorado, the Public Service Company of Colorado on June 9, 1971, filed a Notice with the Commission signifying its intent to abandon a segment of its electric distribution lines. The line proposed to be abandoned is located in Clear Creek County, Colorado. In compliance with Rule No. 26 the Company posted notices in conspicuous places near the location of the said distribution line proposed to be abandoned, then filed an affidavit with the Commission on June 17, 1971, stating that the said notices were posted on June 12, 1971. The Company proposed to abandon service on the line on or after July 15, 1971.

Subsequent to the posting of the notices, neither the Commission nor the Company received complaints or protests in regard to the abandonment of this distribution line.

As to the line proposed to be abandoned herein, it is apparent that there is no further need of this line.

F I N D I N G S

THE COMMISSION FINDS:

That the Public Service Company of Colorado should be permitted to abandon the electric line described in the Order to follow, since there is no further need of this line.

ORDER

THE COMMISSION ORDERS:

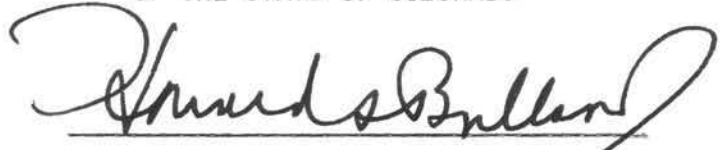
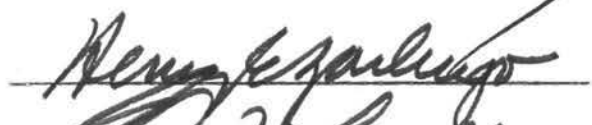

That public convenience and necessity no longer require, or will require, the following described electric distribution line:

Commencing at a point approximately 100 feet south of and 800 feet east of the NW corner of Section 2, Township 4 South, Range 73 West of the Sixth Principal Meridian, and extending in a general southerly direction a distance of 2100 feet to the Chicago Creek Substation, all within Clear Creek County, Colorado.

That Public Service Company of Colorado be, and hereby is, authorized to remove and abandon said line on and after the day and date herein.

That this Order shall become effective as of the date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 6th day of August, 1971.
hbp

(Decision No. 78332)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
Permit No. B-472

Roth Truck Lines, Inc.
P.O. Box 177
Jefferson, Colorado 80456

CASE No. 180-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.

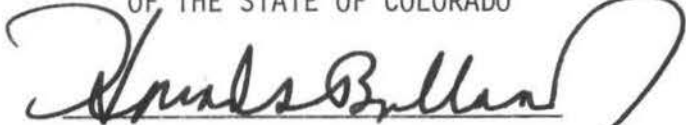
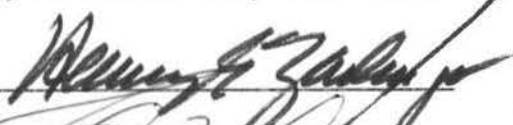
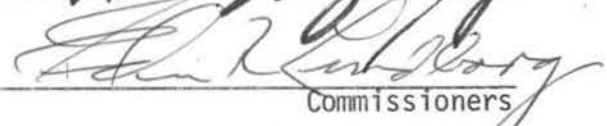
The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

ORDER

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
10th day of August 19 71. av

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
Permit No. B-3466

Viking Logging & Construction Co.
d/b/a Statewide Trucking Co.
P.O. Box 1116, 1800 W Oxford
Englewood, Colorado 80110

CASE No. 185-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.

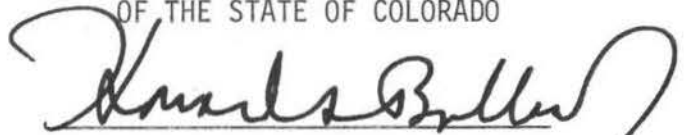


The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

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
10th day of August 1971 . av

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
Permit No. B-3602

Max J. DeHerrera
P.O. Box 419
Center, Colorado 81125

CASE No. 186-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.

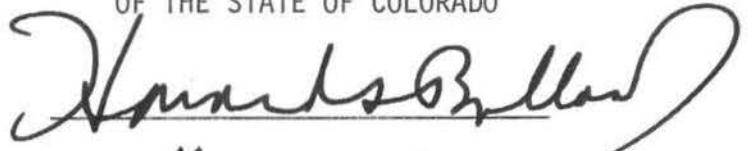


The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

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
10th day of August 19 71. av

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
Permit No. B-4261

Mr. Fred L. Branstetter
631 Highland
Boulder, Colorado 80202

CASE No. 188-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.

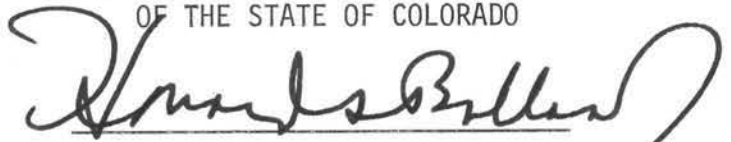
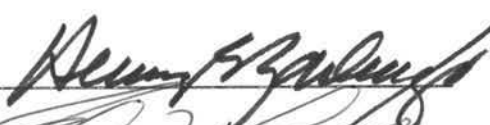
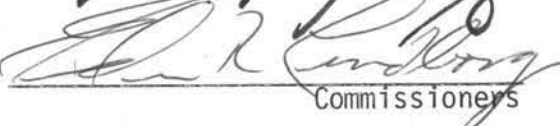
The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

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
10th day of August 19 71. av

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
Permit No. B-5134)

Fred R. McClanahan)
Route 1, Box 427-B)
Fort Collins, Colorado 80521)

CASE No. 191-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.

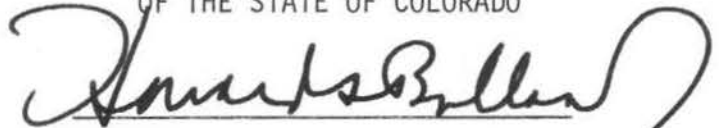


The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

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
10th day of August 1971. av

(Decision No. 78337)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
Permit No. B-5555

Angelo & Samuel Eugene DiSalle d/b/a
Angelo DiSalle & Son
4447 Pennsylvania Street
Denver, Colorado 80216

Respondent.)

CASE No. 193-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.

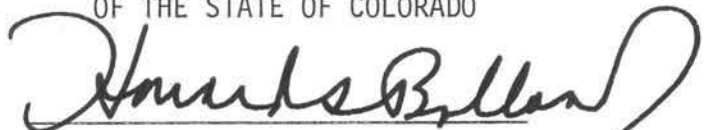

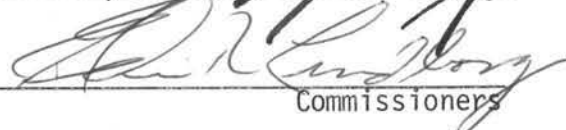
The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

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
10th day of August 1971 . av

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
Permit No. B-6301

Three-T Corporation
296 Denargo Market
Denver, Colorado 80216

CASE No. 196-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.

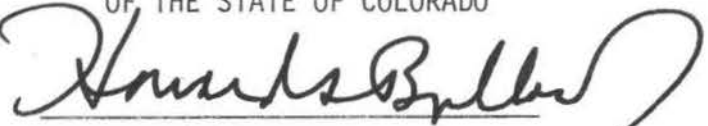
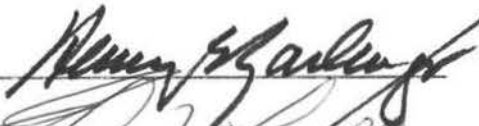

The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

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
10th day of August 1971 . av

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
Permit No. B-6446)

E. Raymond Carter)
2625 Gunnison Street)
Colorado Springs, Colo. 80909)

CASE No. 197-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.

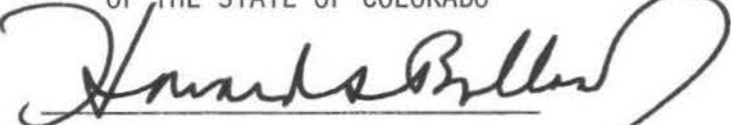
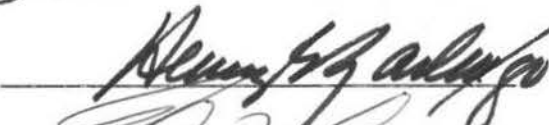

The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

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
10th day of August 1971 . av

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
Permit No. B-4999

Rotz Sand & Gravel
6902 F Highway 24
Colorado Springs, Colo. 80915

Respondent.)

CASE No. 198-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.

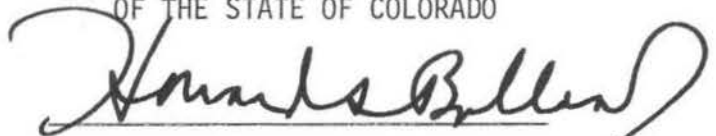
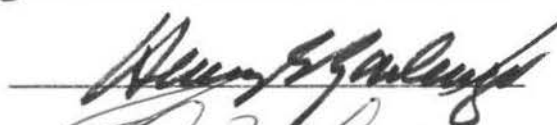
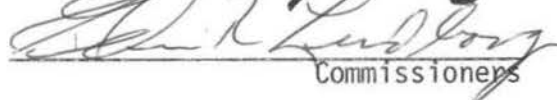
The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

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
10th day of August 1971. av

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
Permit No. B-7094

Neil Beck d/b/a
Dooger Digging
P.O. Box 1880
Aspen, Colorado 81611

Respondent.)

CASE No. 201-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.

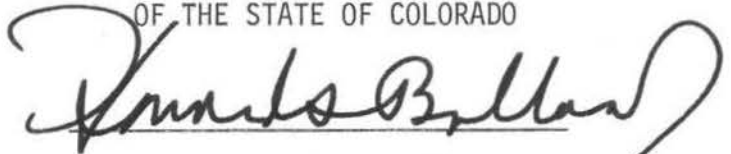


The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

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
10th day of August 1971. av

(Decision No. 78342)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
Permit No. B-7136

Ronald D. Erickson
2525 West C Street
Greeley, Colorado 80631

Respondent.)

CASE No. 202-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.

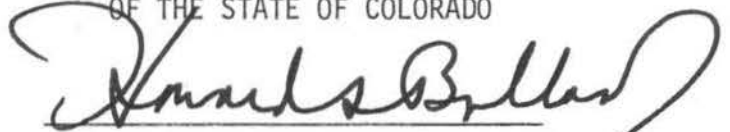
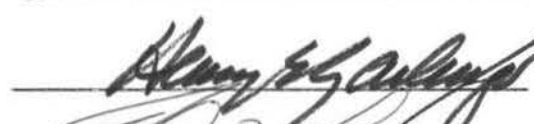
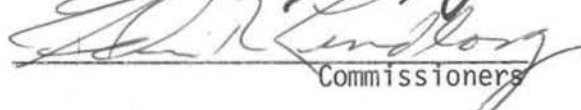
The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

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
10th day of August 1971 . av

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
Permit No. B-7271

Mr. Charles G. Metcalf
P.O. Box 171
Silt, Colorado 81652

CASE No. 203-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.

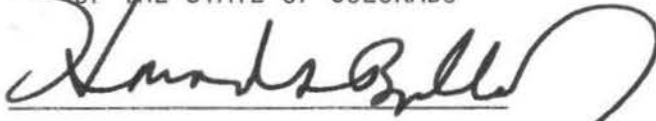


The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

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
10th day of August 19 71. av

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

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

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

CASE No. 210-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.

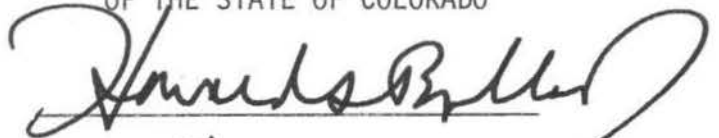


The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

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
10th day of August 1971. av

(Decision No. 78345)

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

CASE No. 211-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.

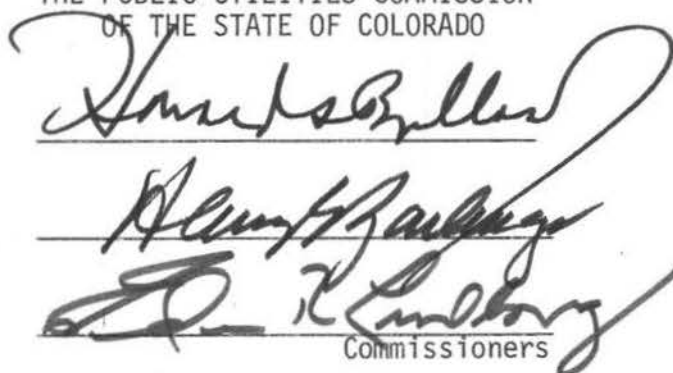
The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

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
10th day of August 1971. av

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, Colo. 80903

Respondent.)

CASE No. 216-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.

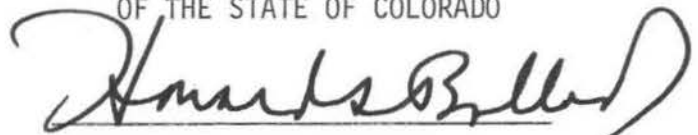


The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

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
10th day of August 19 71. av

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

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.

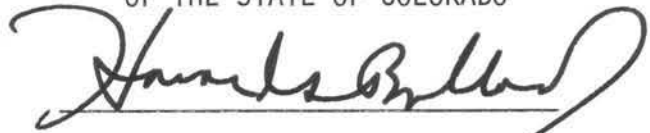


The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

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
10th day of August 1971 . av

(Decision No. 78348)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
LYNN KEIRNES, LUCERNE, COLORADO, FOR)	
AUTHORITY TO TRANSFER CERTIFICATE OF)	APPLICATION NO. 25069-Transfer
PUBLIC CONVENIENCE AND NECESSITY PUC)	
NO. 535 TO KEIRNES LIVESTOCK HAULING,)	
INC., LUCERNE, COLORADO.)	

IN THE MATTER OF THE APPLICATION OF)	
LYNN KEIRNES, LUCERNE, COLORADO, FOR)	
AUTHORITY TO TRANSFER INTERSTATE CER-)	APPLICATION NO. 25070-Transfer
TIFICATE PUC NO. 843-I TO KEIRNES LIVE-)	
STOCK HAULING, INC., LUCERNE, COLO-)	
RADO.)	

IN THE MATTER OF THE APPLICATION OF)	
LYNN KEIRNES, LUCERNE, COLORADO, FOR)	
AUTHORITY TO TRANSFER CERTIFICATE OF)	APPLICATION NO. 25071-Transfer
PUBLIC CONVENIENCE AND NECESSITY PUC)	
NO. 1371 AND 1371-I TO KEIRNES LIVE-)	
STOCK HAULING, INC., LUCERNE, COLO-)	
RADO.)	

ORDER OF THE COMMISSION

- - - - -
August 9, 1971
- - - - -

Appearances: Roger Sollenbarger, Esq., Denver,
Colorado, for Applicants.

It appearing, That by Order of the Commission dated June 23,
1971, 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 proceedings has been filed
by any person within the time prescribed by the Commission in said Order,
and that the herein proceedings are therefore noncontested and unopposed;

It further appearing, That pursuant to CRS 1963, 115-6-9 (5), the herein matters are ones which may properly be determined without the necessity of a formal oral hearing and that the taking of evidence in these proceedings 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;

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 and that the transfers are 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 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 Lynn Keirnes, Lucerne, Colorado, be, and is hereby, authorized to transfer all right, title and interest in and to Certificate of Public Convenience and Necessity PUC No. 535, Interstate Certificate PUC No. 843-I, and Certificate of Public Convenience and Necessity PUC No. 1371 and 1371-I to Keirnes Livestock Hauling, Inc., Lucerne, 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. 535 shall read and be as follows, to wit:

"Transportation -- on call and demand -- of

Livestock

Between all points located within the following described area:

Commencing at a point where Colorado Highway No. 392 intersects the Weld-Larimer County line; thence north along said county line a distance of ten and one half (10.5) miles to a point; thence east along a line a distance of thirty-five (35) miles to a point; thence south along a line a distance of forty-two (42) miles to a point; thence west along a line a distance of thirty-five (35) miles to a point; thence north along a line a distance of thirty-one and one-half (31.5) miles to the point of beginning,

and between said points on the one hand, and all points in the State of Colorado on the other hand."

It is further ordered, That henceforth the full and complete authority under Interstate Certificate PUC 843-I shall read and be as follows, to wit:

"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. 1371 and 1371-I shall read and be as follows, to wit:

"Transportation -- on call and demand -- of

- (1) Farm products (including livestock), farm equipment, farm supplies, and used household goods

Between all points within the following described area:

Beginning at a point where Colorado Highway No. 392 intersects the Weld-Larimer County line; thence north along said county line to the Colorado-Wyoming State line; thence east along said Colorado-Wyoming State line a distance of twenty-four (24) miles to a point; thence south along a line a distance of thirty-six (36) miles to a point where said line intersects Colorado Highway No. 392 as extended; thence west along Colorado Highway No. 392 to the point of beginning,

and between said points on the one hand, and all points within the State of Colorado on the other hand.

(2) Cement

From the plant at Boettcher, Colorado, to points located within the area described in Item No. 1.

(3) Plaster

From the plant located near Loveland, Colorado, to points located within the area described in Item No. 1.

(4) Coal

From the northern Colorado coal fields to points within the area described in Item No. 1.

RESTRICTION: Items No. 1, 2, 3, and 4 of this Certificate are restricted as follows:

- (a) Against rendering transportation service within that portion of the area described in Item No. 1 lying within a five (5) mile radius of Windsor, Colorado.
- (b) Against rendering town-to-town service of all commodities except livestock, coal, plaster, dried beet pulp, and bulk farm products.
- (5) 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 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 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.

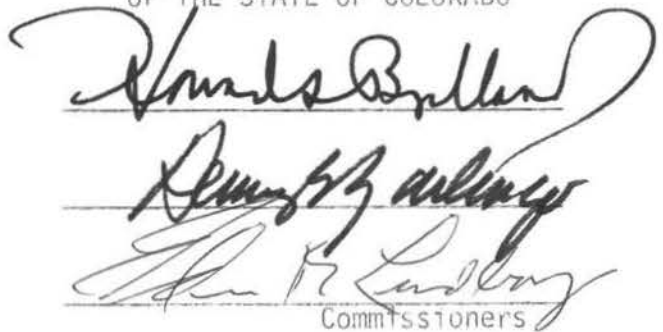
Failure to file said written acceptance of the terms of this Order within thirty days from the effective date of this Order shall automatically revoke the authority herein granted to make the transfers,

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 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 up to the time of transfer of said Certificates.

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 9th day of August, 1971.
js

(Decision No. 78349)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

DENNIS EGBERT, LYLE MURR, WILLIAM KINGERY, et al)

Complainants)

vs.)

CASE NO. 5465

MOUNTAIN STATES TELEPHONE AND TELEGRAPH COMPANY
930 - 14TH STREET
DENVER, COLORADO)

Respondent.)

ORDER GRANTING ADDITIONAL TIME
TO SATISFY OR ANSWER

August 6, 1971

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On July 9, 1971, Dennis Egbert, Lyle Murr, William Kingery, et al, filed with the Commission a formal complaint against the Mountain States Telephone and Telegraph Company.

The Mountain States Telephone and Telegraph Company on July 15, 1971, was served a true and correct copy of an Order to Satisfy or Answer the above complaint.

Arthur T. Voss, Attorney for The Mountain States Telephone and Telegraph Company, filed with the Commission on August 3, 1971, a Motion for Extension of Time to Satisfy or Answer up to and including Wednesday, August 11, 1971.

The Commission states and finds that inasmuch as this request for extension of time is in the public interest, it should be granted as set forth in the Order following.

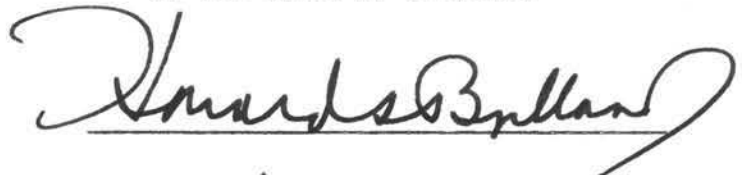


O R D E R

THE COMMISSION ORDERS THAT:

Respondent, The Mountain States Telephone and Telegraph Company
be, and hereby is, granted additional time to satisfy or answer until and
including Wednesday, August 11, 1971.

This Order shall be effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 6th day of August, 1971.
hbp

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
Permit No. B-2196)

Mr. Roy Cusic)
Ramah, Colorado 80832)

Respondent.)

CASE No. 183-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.

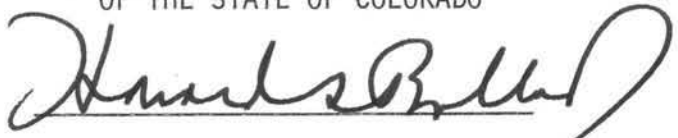


The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

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
10th day of August 1971. av

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, Colo. 80900

CASE No. 218-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.

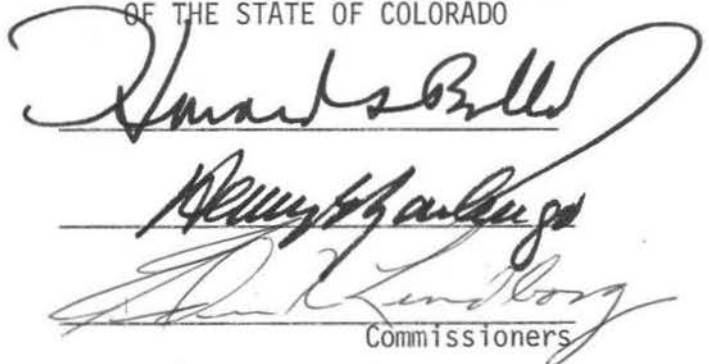
The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

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
10th day of August 1971 . av

(Decision No. 78352)

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)

CASE No. 220-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.

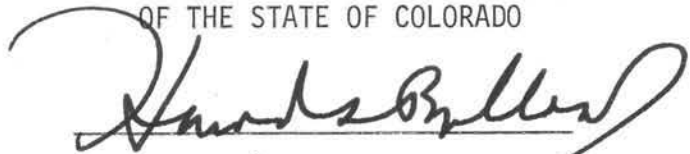


The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

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
10th day of August 1971 . av

(Decision No. 78353)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LA PLATA ELECTRIC ASSOCIATION, INC.,)
OF DURANGO, COLORADO, FOR AN ORDER)
AUTHORIZING THE ISSUANCE OF SECURI-)
TIES IN THE PRINCIPAL AMOUNT OF)
\$373,000 AND THE APPLICATION OF THE)
PROCEEDS THEREFROM FOR CERTAIN LAWFUL)
PURPOSES.)

APPLICATION NO. 23258-Securities
SUPPLEMENTAL

- - - - -
August 9, 1971
- - - - -

Appearances: Bradford, McDaniel & Maynes, Durango,
Colorado, by Frank E. Maynes, Esq.,
for Applicant;
Girts Krumins, Esq., Denver, Colorado,
for the Staff of the Commission,
M. R. Garrison, Denver, Colorado,
of the Staff of the Commission.

PROCEDURE AND RECORD

On August 3, 1971, La Plata Electric Association, Inc. filed with the Commission an application for authority to modify its "loan contract" with the United States of America contained in its Mortgage Note to the Rural Electrification Administration, project designation "Colorado 32 M La Plata," dated as of July 16, 1968. as set forth in a new agreement, dated July 19, 1971, Exhibit A.

There being no need for public hearing, no hearing was held. Upon the Findings of Fact following herein the Commission in its order grants the authority sought in the instant application, approval and authorization to modify its previous "loan contract" with the United States of America by a new agreement dated July 19, 1971.

FINDINGS OF FACT

THE COMMISSION FINDS:

From the record herein, the Commission finds as fact, that:

1. This Commission has jurisdiction of La Plata Electric Association, Inc., as to the subject matter of the instant application, as defined in 115-1-3 and -4, Colorado Revised Statutes, 1963.

2. The Commission is fully advised in the premises.

3. The Commission has retained jurisdiction of these proceedings to the end that it may make further Order or Orders in the premises which it may deem to be proper and desirable.

4. This loan, the original mortgage note, principal amount \$373,000.00, was authorized and approved by this Commission on July 11, 1968 in its Order, Decision No. 71571, Application No. 23258 - Securities.

5. The parties above-mentioned have now entered into an agreement which would modify the repayment obligations of the Applicant. The \$373,000.00 has not been "drawn down" by Applicant and, therefore, it seeks to renew the loan on the \$373,000.00, known as the "principal balance." The provisions of the note as applied in the beginning will, in effect, be moved later in time to the date of this agreement, July 19, 1971, and thence will apply in the same manner to the payment of interest and repayment of "principal balance" over thirty-five years from this date.

6. The Agreement between the United States of America and La Plata Electric Association, Inc., dated July 19, 1971 referred to above and filed with this Commission August 3, 1971, is not inconsistent with the public interest.

C O N C L U S I O N

In view of the fact that this Commission has previously authorized and approved the borrowing of the \$373,000.00, and that the Applicant asked for no changes in the provision other than moving the period of the note to a later date, we see no need for a public hearing

on this matter; it is the conclusion of the Commission that authorization sought in the instant application should be granted; and the following Order should be entered.

O R D E R

THE COMMISSION ORDERS:

That the Agreement between the United States of America and La Plata Electric Association, Inc., dated July 19, 1971, and designated "Colorado 32 M La Plata", as set forth fully in the copy of the Agreement attached to Application No. 23258 - Securities, Supplemental, be, and the same is hereby, authorized and approved.

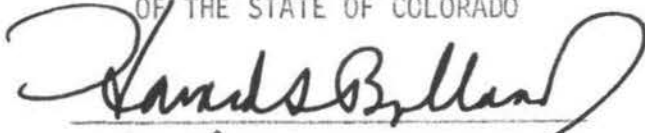


That La Plata Electric Association, Inc., within ninety (90) days of the date hereof, or date of execution, shall file with this Commission a conformed copy of the executed agreement authorized and approved herein.

That nothing herein contained shall be construed to imply any recommendation or guaranty of, or any obligation with respect to, said securities on the part of the State of Colorado; and

That in all other respects the Decision and Order No. 71571, Application No. 23258 - Securities, shall remain in full force and effect.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 9th day of August, 1971.
js

(Decision No. 78354)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)	
PUREGRO COMPANY)	
P. O. BOX 913)	
FORT MORGAN, COLORADO 80701)	PERMIT NO. M-3075
-----)	

August 9, 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.

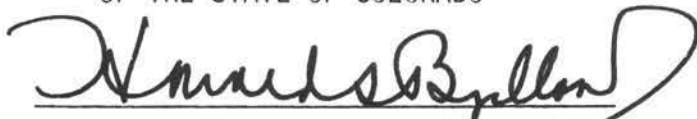
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

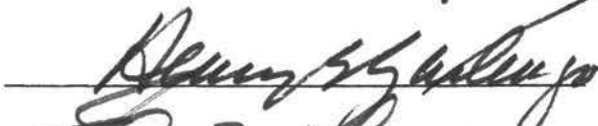
O R D E R

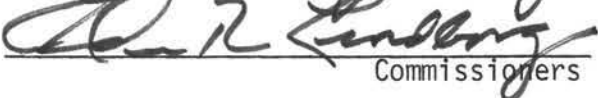
THE COMMISSION ORDERS:

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO






Commissioners

Dated at Denver, Colorado,
this 9th day of August, 1971.

(Decision No. 78355)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)	
VAN C. WHINERY)	
3426 G ROAD)	PERMIT NO. M-4687
CLIFTON, COLORADO 81520)	

August 9, 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.

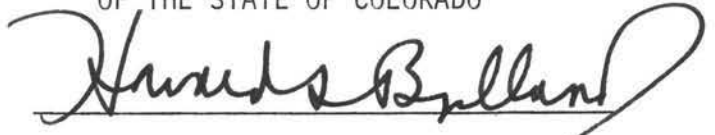
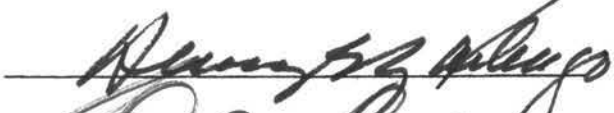

The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective July 21, 1971.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 9th day of August, 1971.
hbp

(Decision No. 78356)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
JIMMIE MINNIS, DOING BUSINESS AS)
J & J MINNIS & CO.)
8690 BRIGHTON ROAD)
HENDERSON, COLORADO 80640)

PERMIT NO. M-6307

August 9, 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.

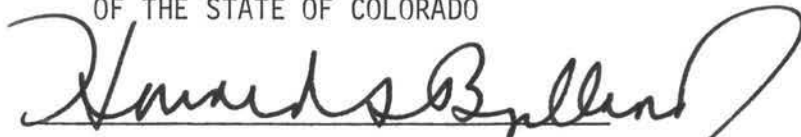


The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective July 9, 1971.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 9th day of August, 1971.
hbp

(Decision No. 78357)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
AUGUST E. ZUEHLSDORF) PERMIT NO. M-8150
BOX 53)
CROOK, COLORADO 80726)

August 9, 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.

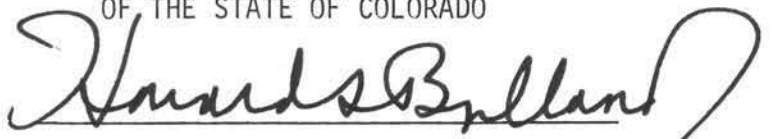
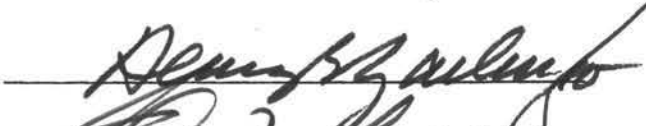

The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective July 29, 1971.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 9th day of August, 1971.
hbp

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)	
J. C. HAWKINS, DOING BUSINESS AS)	
HAWKINS COMPANY)	
1425 - 11TH STREET	)	PERMIT NO. M-8597
GERING, NEBRASKA 69341)	

August 9, 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.

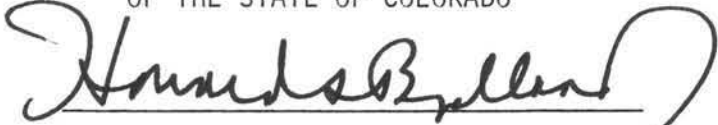

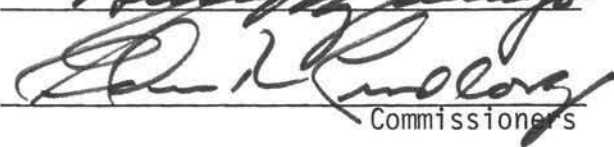
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective July 30, 1971.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 9th day of August, 1971.
hbp

(Decision No. 78359)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
TEXTILE RUBBER COMPANY, INCORPORATED)
P. O. BOX 553)
TUSCUMBIA, ALABAMA 35674)

PERMIT M-10657

August 9, 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.

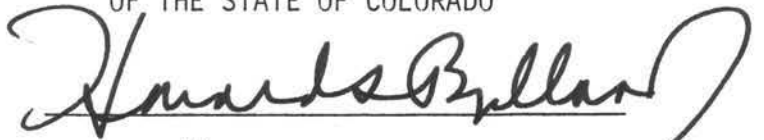


The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective July 20, 1971.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 9th day of August, 1971.
hbp

(Decision No. 78360)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
VANCE G. KINAHAN, DOING BUSINESS)
AS VAN HOWE CERAMICS SUPPLY CO.)
1185 S. CHEROKEE)
DENVER, COLORADO 80223)

PERMIT NO. 12049

August 9, 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.

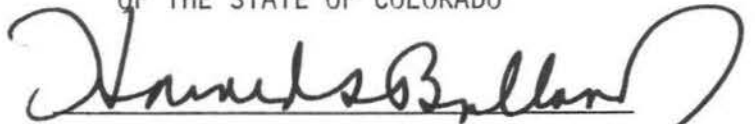


The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective July 29, 1971.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 9th day of August, 1971.
hbp

(Decision No. 78361)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
THOMAS D. WEBB AND CLEAH JANE WEBB)
dba BROOKRIDGE FLOWERS & GIFTS)
5142 SOUTH BROADWAY)
ENGLEWOOD, COLORADO 80110)

PERMIT NO. M-13278

August 9, 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.

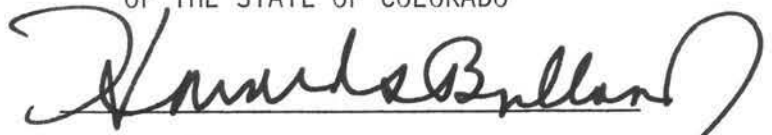
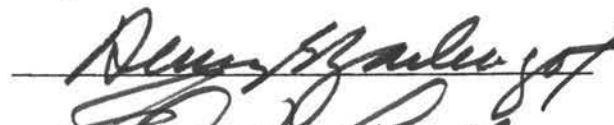

The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 9th day of August, 1971.
hbp

(Decision No. 78362)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)

PURE GAS & CHEMICAL CO.)
362 SOUTH LINCOLN AVENUE)
LOVELAND, COLORADO 80537)

PERMIT NO. M-14807

August 9, 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.

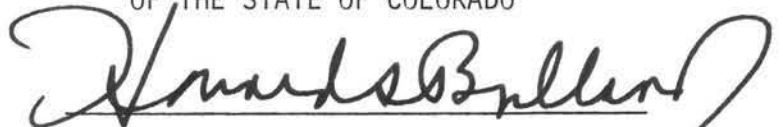
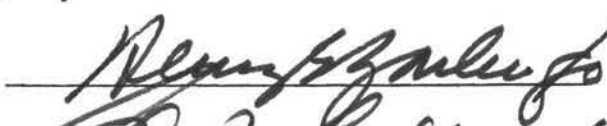

The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 9th day of August, 1971.
hbp

(Decision No. 78363)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)	
L & F DRILLING, INC.)	
211 EAST OAK)	PERMIT NO. M-15556
LAMAR, COLORADO 81052)	
-----)	

August 9, 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.

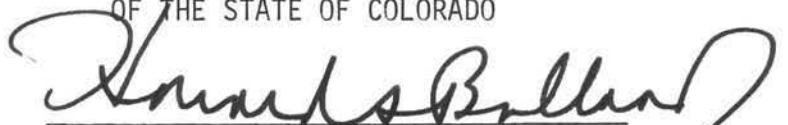
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

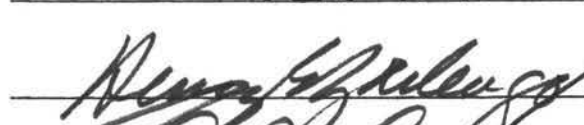
O R D E R

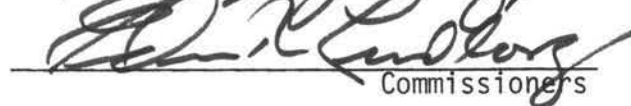
THE COMMISSION ORDERS:

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO






Commissioners

Dated at Denver, Colorado,
this 9th day of August, 1971.
hbp

(Decision No. 78364)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
LLOYD J. JERNIGAN, 2310 DELL RANGE,)	
CHEYENNE, WYOMING, FOR A CLASS "B")	APPLICATION NO. 25014-PP
PERMIT TO OPERATE AS A CONTRACT)	
CARRIER BY MOTOR VEHICLE FOR HIRE.)	

- - - - -
August 9, 1971
- - - - -

Appearances: Lloyd J. Jernigan, Cheyenne, Wyoming,
Pro se.
Joseph F. Nigro, Esq., Denver, Colorado,
for Colorado Cartage Co., Inc.,
Murph's Express, Inc.,
Acme Delivery Service, Inc.,
Thomas & Son Transfer,
United States Transfer & Storage Co.,
Weicker Transfer & Storage Co.,
Protestants;
William Andrew Wilson, Esq., Denver, Colorado,
for Brantner Trash Removal,
Lakewood Disposal Service,
Englewood-Littleton-Arapahoe Rubbish Removal,
Protestants;
John P. Thompson, Esq., Denver, Colorado,
for Trans-Western Express, Ltd.,
Overland Motor Express Inc.,
dba Boulder-Denver Truck Line,
Protestants;
Leslie R. Kehl, Esq., Denver, Colorado,
for Frederick A. Bethke,
dba Bethke Truck Lines,
Protestant.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The above-entitled application was called up for hearing at the time and place mentioned in the notice, which notice was duly served on all interested parties, by Commissioner Henry E. Zarlengo, to whom the matter was assigned pursuant to law.

The Applicant appeared in his own behalf and testified, in general, that he desired to render the service, that there is a need for such service, but did not present any evidence as to his financial

qualifications or his competency to render the service, or as to what equipment, etc. would be needed and used. The Applicant offered no further evidence.

The Protestants who appeared made a motion to dismiss the application for failure on the Applicant's part to present sufficient evidence to constitute a prima facie case.

The Commission finds that the application should be dismissed.

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 Commissioner be omitted and the initial decision be made by the Commission as provided in CRS 1963, 115-6-9 (6), as amended.

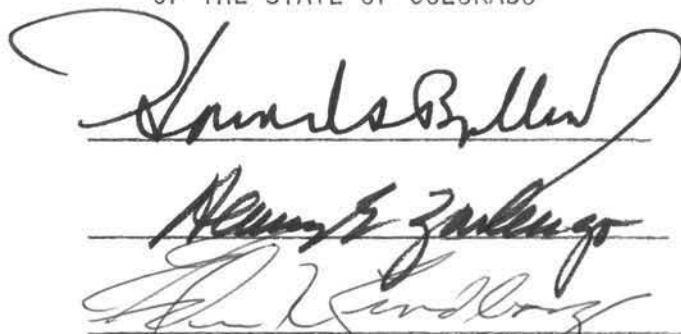
O R D E R

THE COMMISSION ORDERS THAT:

The above-entitled application be, and the same hereby is, dismissed.

This Order shall be effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 9th day of August, 1971.
hbp

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
Permit No. B-5215)

Mr. Harold O. Willison)
3038 F 3/4 Road)
Grand Junction, Colo. 81501)

Respondent.)

CASE No. 192-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.

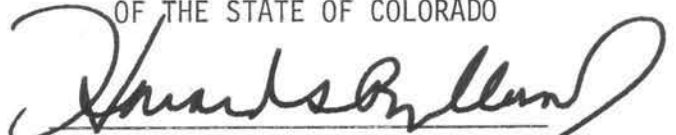


The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

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
10th day of August 1971. av

(Decision No. 78366)

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

CASE No. 212-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.

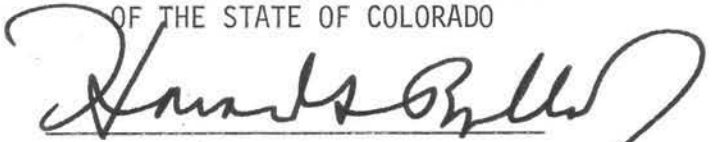


The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

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
10th day of August 19 71. av

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, Colo. 80904

Respondent.)

CASE No. 219-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.

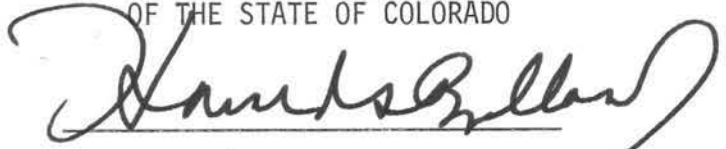


The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

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
10th day of August 19 71. av

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

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.

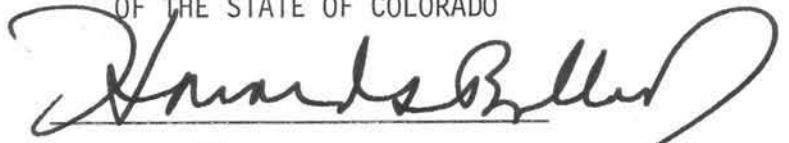
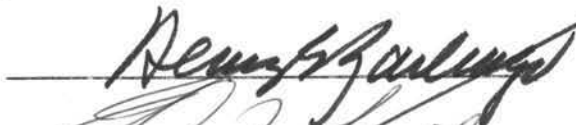
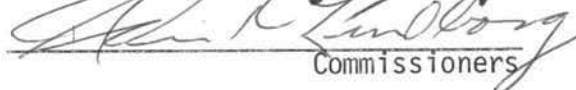
The Commission finds that the Respondent herein has now complied as required by law and the Rules and Regulations of the Commission by filing said Annual Report, and that said Case should be dismissed as set forth in the Order following.

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
10th day of August 1971. av

(Decision No. 78369)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION)	
OF EUGENE W. SCHRAGE AND RODNEY L.)	
SCHRAGE, DOING BUSINESS AS "SCHRAGE'S)	
DISPOSAL SERVICE," BOX 488, STEAMBOAT)	
SPRINGS, COLORADO, FOR A CERTIFICATE	)	APPLICATION NO. 24956
OF PUBLIC CONVENIENCE AND NECESSITY)	
TO OPERATE AS A COMMON CARRIER BY)	
MOTOR VEHICLE FOR HIRE.)	

- - - - -
August 10, 1971
- - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On April 27, 1971, the above-styled application was filed with this Commission and after due and proper notice to all interested parties was set for hearing at 10 a.m., Thursday, August 5, 1971, in the District Courtroom, Courthouse, Steamboat Springs, Colorado.

On August 5, 1971, Applicants by their attorney, Bruce L. Jarchow, filed with the Commission a Withdrawal of Application.

The Commission finds that the application should be permitted to be withdrawn and the hearing vacated.

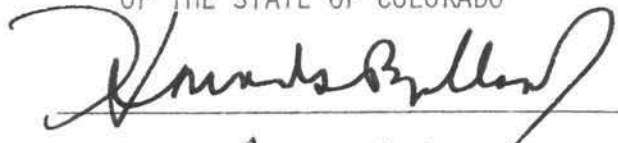
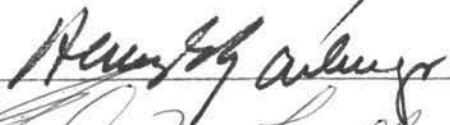
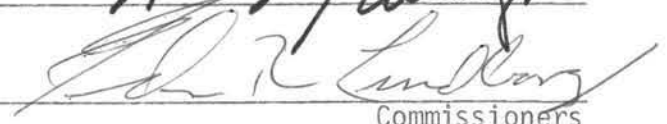
O R D E R

THE COMMISSION ORDERS:

1. That Application No. 24956 be, and hereby is, permitted to be withdrawn.
2. That the hearing with regard to the above-styled application scheduled for Thursday, August 5, 1971, at 10 a.m. in the District Courtroom, Courthouse, Steamboat Springs, Colorado, be, and hereby is, vacated.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
10th day of August, 1971.
vjr

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION)
OF RINGSBY TRUCK LINES, INC., A)
NEBRASKA CORPORATION, 3201 RINGSBY)
COURT, DENVER, COLORADO, AND HARP)
TRANSPORTATION LINE, INC., A)
COLORADO CORPORATION, DOING BUSI-)
NESS AS "HARP TRANSPORTATION LINE,")
MEEKER, COLORADO, FOR AUTHORITY TO)
TRANSFER PUC NO. 717 AND PUC NO.)
717-I TO HARP TRANSPORTATION LINE,)
INC., A COLORADO CORPORATION, DOING)
BUSINESS AS "HARP TRANSPORTATION)
LINE," MEEKER, COLORADO, AND FOR)
AUTHORITY TO AMALGAMATE PUC NO. 717)
AND PUC NO. 717-I WITH PUC NO. 152)
AND PUC NO. 152-I SO AS TO PROVIDE)
THROUGH TRANSPORTATION BETWEEN POINTS)
AUTHORIZED IN PUC NO. 717 AND PUC NO.)
717-I and PUC NO. 152 AND PUC NO.)
152-I.)

APPLICATION NO. 24316-Transfer

IN THE MATTER OF THE APPLICATION)
OF RINGSBY TRUCK LINES, INC., A)
NEBRASKA CORPORATION, 3201 RINGSBY)
COURT, DENVER, COLORADO, AND HARP)
TRANSPORTATION LINE, INC., A COLO-)
RADO CORPORATION, DOING BUSINESS)
AS "HARP TRANSPORTATION LINE,")
MEEKER, COLORADO, FOR AUTHORITY)
TO TRANSFER PERMIT NO. A-329 TO)
HARP TRANSPORTATION LINE, INC.,)
A COLORADO CORPORATION, DOING BUSI-)
NESS AS "HARP TRANSPORTATION LINE,")
MEEKER, COLORADO)

APPLICATION NO. 24317-PP-Transfer

IN THE MATTER OF THE APPLICATION)
OF RINGSBY TRUCK LINES, INC., A)
NEBRASKA CORPORATION, 3201 RINGSBY)
COURT, DENVER, COLORADO, AND HARP)
TRANSPORTATION LINE, INC., A COLO-)
RADO CORPORATION, DOING BUSINESS)
AS "HARP TRANSPORTATION LINE,")
MEEKER, COLORADO, FOR AUTHORITY)
TO TRANSFER PERMIT NO. A-347 TO)
HARP TRANSPORTATION LINE, INC.,)
A COLORADO CORPORATION, DOING BUSI-)
NESS AS "HARP TRANSPORTATION LINE,")
MEEKER, COLORADO.)

APPLICATION NO. 24318-PP-Transfer

ORDER GRANTING EXTENSION OF TIME FOR FILING
PETITION FOR REHEARING, REARGUMENT OR RECONSIDERATION

August 10, 1971

Appearances: John H. Lewis, Esq.,
Denver, Colorado,
for Applicants;
Henry V. Elwood, Esq.,
Denver, Colorado,
for Applicants;
John F. Mueller, Esq.,
Denver, Colorado,
for Applicants;
Warren D. Braucher, Esq.,
Denver, Colorado, for
Rio Grande Motor Way, Inc.,
Larson Transportation Company,
and Ephraim Freightways, Inc.,
Protestants;
Dalton O. Ford,
Denver, Colorado, of the
Staff of the Commission.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On July 23, 1971, by Decision No. 78239, the Commission granted Ringsby Truck Lines, Inc., the transfer of all right, title and interest in and to Certificates of Public Convenience and Necessity PUC No. 717 and PUC No. 717-I to Harp Transportation Line, Inc., doing business as "Harp Transportation Line."

On July 23, 1971, by Decision No. 78240, the Commission denied Ringsby Truck Lines, Inc., the right to transfer Permit No. A-329 and Permit No. A-347 to Harp Transportation Line, doing business as "Harp Transportation."

On August 6, 1971, Applicants by and through their attorneys, Stockton and Lewis, requested an extension of time up to and including Monday, August 30, 1971, to file their Petition for Rehearing, Reargument or Reconsideration of the above-captioned applications and Decisions No. 78239 and No. 78240, dated 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.

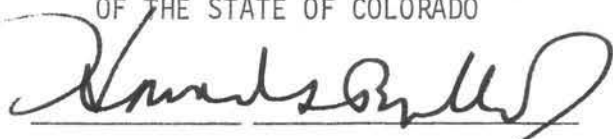
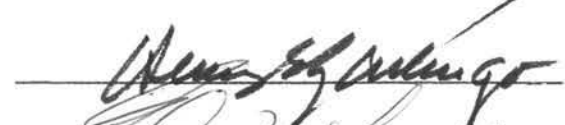

O R D E R

THE COMMISSION ORDERS THAT:

The Applicants, Ringsby Truck Lines, Inc., and Harp Transportation Line, doing business as "Harp Transportation," be, and hereby are, granted an extension of time within which to file Petition for Rehearing, Reargument or Reconsideration of Commission Decisions No. 78239 and No. 78240, dated July 23, 1971, up to and including Monday, August 30, 1971.

This Order shall be effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
10th day of August, 1971.

vjr

(Decision No. 78371)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
KENNETH L. HIGHBERGER, SR.) PERMIT NO. M-654
WELLFLEET, NEBRASKA)

August 10, 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.

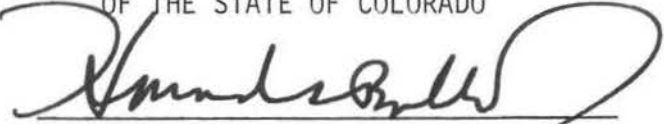

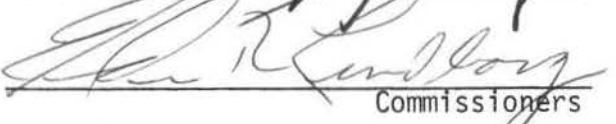
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 10th day of August, 1971.
hj

(Decision No. 78372)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)	
)	
ALICE R. AND HAROLD L. PHILLIPS	)	PERMIT NO. M-2351
PHILLIPS MERCANTILE COMPANY)	
POST OFFICE BOX 537)	
IGNACIO, COLORADO 81137)	

August 10, 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.

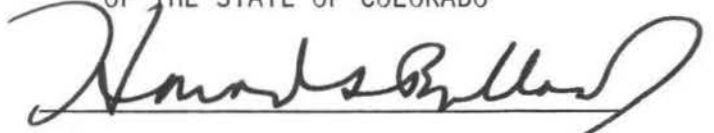
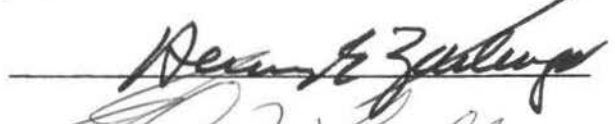

The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective July 16, 1971.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 10th day of August, 1971.
hj

(Decision No. 78373)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
DONALD W. LEE d/b/a)
DON LEE MAC TOOLS) PERMIT NO. M-7077
Route 4, Box 884)
Pueblo, Colorado 81004)

August 10, 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.

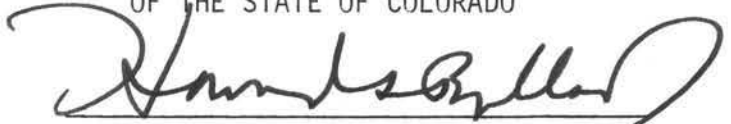
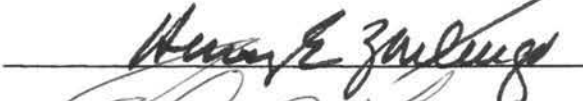

The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective July 29, 1971.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 10th day of August, 1971.
hj

(Decision No. 78374)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)

RUSSELL W. LYON)
1355 White Avenue)
Grand Junction, Colo. 81501)

PERMIT NO. M-9059

August 10, 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.

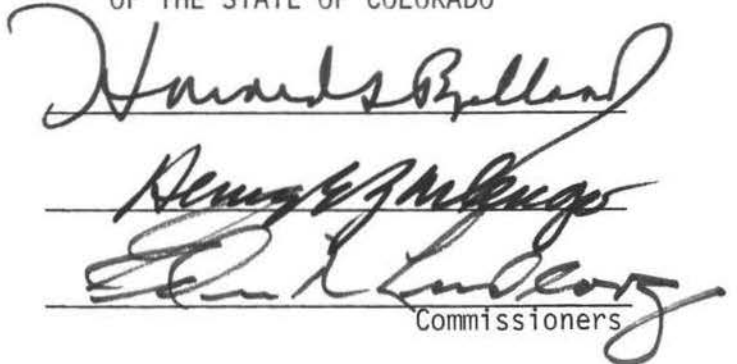
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective July 22, 1971.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 10th day of August, 1971.

hj