

(Decision No. C92-68)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

THE APPLICATION OF TRANSPORTATION)
MANAGEMENT SERVICES, INC. FOR)
TEMPORARY AUTHORITY TO CONDUCT) DOCKET NO. 91A-800BY-TA
OPERATIONS AS A CONTRACT CARRIER BY)
MOTOR VEHICLE FOR HIRE.)
- - - - -

**COMMISSION ORDER GRANTING
TEMPORARY AUTHORITY**

Mailed date: January 15, 1992
Adopted date: January 8, 1992

STATEMENT, FINDINGS, AND CONCLUSIONS

BY THE COMMISSION:

1. On December 3, 1991, Transportation Management Services, Inc. filed Docket No. 91A-800BY-TA for temporary authority to conduct operations as a contract carrier by motor vehicle for hire for the transportation of empty cans, pallets, top-frames and slip sheets (1) between Windsor, Colorado, on the one hand, and on the other hand, points within a ten-miles radius of the intersection of I-25 and Colorado State Highway 14 at or near Fort Collins, Colorado; and (2) between points within a five-mile radius of Windsor, Colorado. This application is restricted to providing services for only Metal Container Corporation and restricted to the use of trailers equipped with roller-beds.

2. The Commission gave notice of the application on December 9, 1991. No interventions were filed.

3. By § 40-6-120, C.R.S., the application for temporary authority is under consideration for a Commission order.

4. Section 40-6-120(1), C.R.S., authorizes the Commission to grant temporary authority when there appears to be ". . . an immediate and urgent need to any point or within a territory having no carrier service capable of meeting such need."

5. The support filed on behalf of this application indicates that shipper (Metal Container Corporation) is aware of other carriers that are authorized to transport the same or similar commodities sought in this application; however, none of these carriers have the needed type of equipment (fifty-seven foot roller bed trailers) and equipment must be dedicated exclusively for shipper's use.

6. The Commission finds due to the facts stated in paragraph (5) above, that there is an immediate and urgent need and therefore, the Commission will grant the application.

7. The Applicant has adequate equipment and financial resources to begin immediate service within the scope of the authority sought and is willing, ready and able to operate under all Commission rules and regulations governing carriers by motor vehicle.

8. This application for temporary authority is in the public interest and should be granted.

9. The Applicant is advised that the granting of a temporary authority makes no presumption that a permanent authority will be granted.

THEREFORE THE COMMISSION ORDERS THAT:

1. Transportation Management Services, Inc. is granted temporary authority to conduct operations as a contract carrier for a period of 180 days commencing from the mailed date, with authority as set forth in the attached appendix, which is conditioned on Applicant meeting the requirements contained in this Order, and is not effective until those requirements have been met.

2. Transportation Management Services, Inc. shall not commence operations until all requirements have been met, including the proper filing of insurance, tariffs and payment of required fees. Operations may not begin until these requirements have been met, and the Applicant has been notified by the Commission that operations may begin.

3. Unless Transportation Management Services, Inc. meets all the requirements indicated within 30 days of the mailed date of this order, the authority granted will be void.

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4. The 20-day time period provided by § 40-6-114(1), C.R.S., to file an application for rehearing, reargument, or reconsideration

shall begin on the first day after the Commission mails or serves this decision.

5. This Order is effective on its date of mailing.

ADOPTED IN OPEN MEETING January 8, 1992.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

ORDER-CQ

Decision No. C92-68
Docket No. 91A-800BY-TA
January 8, 1992

Transportation of empty cans, pallets, top-frames and slip sheets

(1) between Windsor, Colorado, on the one hand, and on the other hand, points within a ten-miles radius of the intersection of I-25 and Colorado State Highway 14 at or near Fort Collins, Colorado; and

(2) between points within a five-mile radius of Windsor, Colorado. This permit is restricted to

(1) providing services for only Metal Container Corporation; and

(2) to the use of trailers equipped with roller-beds.

ORDER-CQ

APPLICANT:

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