

(Decision No. C92-325)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
UNIVERSAL TRANSPORT, INC. FOR)	DOCKET NO. 92A-055BY -
TEMPORARY AUTHORITY TO EXTEND)	EXTENSION-TA
OPERATIONS UNDER CONTRACT CARRIER)	
PERMIT NO. B-7248.)	
- - - - -	

**COMMISSION ORDER GRANTING
TEMPORARY AUTHORITY**

Mailed date: March 5, 1992
Adopted date: March 4, 1992

STATEMENT, FINDINGS OF FACT, AND CONCLUSIONS

BY THE COMMISSION:

1. On February 4, 1992, Universal Transport, Inc. (UTI), filed Docket No. 92A-055BY-Extension-TA for temporary authority to extend operations under Contract Carrier Permit No. B-7248 by modifying the office restriction in the permit to allow for the establishment of an office at Henderson, Colorado.

2. The Commission notice of the application was given on February 18, 1992. Interventions were filed by Atwood Truck Lines, Inc. and Don Ward, Inc.

3. Section 40-6-120, C.R.S., authorizes the Commission to grant temporary authority when there appears to be an immediate and urgent need for transportation service to a point or within a territory having no carrier service capable of meeting the need.

4. The application states that there is a need for UTI to establish a terminal closer to the site of the new Denver airport. Further the carrier's present locations do not allow it to be as efficient as possible since UTI's nearest facility is 25 miles away.

UTI has a need to better coordinate its activities with contractors building runways which require large amounts of cement, limestone and fly ash to be transported. The Commission notes that UTI presently has authority to provide the service to the shippers under its contract carrier permit. This application does not seek any additional authority, but merely seeks to allow UTI to be more efficient in providing transportation services. Therefore, the Commission will grant the application.

5. The Commission finds due to the facts stated in paragraph (4) above, that there is an immediate and urgent need for a grant of temporary authority to allow Applicant to establish a facility at Henderson, Colorado.

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

7. Applicant is advised that the granting of temporary authority creates no presumption that the corresponding application for permanent authority will be granted.

THEREFORE THE COMMISSION ORDERS THAT:

1. Universal Transport, Inc. is granted temporary authority for a period of 180 days commencing from the mailed date of this Order to establish an office at Henderson, Colorado.

2. Universal Transport, Inc. shall not commence operations until all requirements have been met, including the proper filing of insurance and tariffs, and notice in writing has been received from the Commission that the Applicant is in compliance and may begin service.

3. Unless Universal Transport, Inc. meets all of the requirements indicated above within 30 days of the mailed date of this Order, the authority granted will be void.

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 on March 4, 1992.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER GARY L. NAKARADO
ABSENT.

ORDER-DC

APPLICANT:

Universal Transport, Inc.
P. O. Box 3000
Rapid City, SD 57709

APPLICANT'S ATTORNEY:

M. A. Andrade, Esq.
1836 Blake Street, No. 100
Denver, CO 80202

MISCELLANEOUS:

Brad Mallon, Director
Office of Policy & Research
Dept. of Regulatory Agencies
1560 Broadway, Suite 1550
Denver, CO 80202

ROUTE:

1	31 (5 copies)
2	40 (7 copies)
3	50
4	Bulletin Board
6-Docketing	Text Management
9	Operating Rights Unit
10	DMS (plus certificate)
15	
20	
30	ORDER-DC