

(Decision No. C92-344)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION)
OF IVAN A. & RAYMOND L. ENDERSON)
& KIM JONES, DOING BUSINESS AS)
J & E TRUCKING COMPANY, FOR)
TEMPORARY APPROVAL TO ASSUME)
OPERATIONAL CONTROL OF)
CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY PUC)
NO. 403&I PENDING DETERMINATION)
OF THE RELATED APPLICATION TO)
ACQUIRE THE CERTIFICATE FROM)
ALVIN & HAROLD JEFFERSON, DOING)
BUSINESS AS J & J TRUCKING)
COMPANY.)
- - - - -)
)

DOCKET NO. 92A-058CY-
TRANSFER-TA

IN THE MATTER OF THE APPLICATION)
OF IVAN A. & RAYMOND L. ENDERSON)
& KIM JONES, DOING BUSINESS AS)
J & E TRUCKING COMPANY, FOR)
TEMPORARY APPROVAL TO ASSUME)
OPERATIONAL CONTROL OF CONTRACT)
CARRIER PERMIT NO. B-1317&I)
PENDING DETERMINATION OF THE)
RELATED APPLICATION TO ACQUIRE)
THE PERMIT FROM ALVIN & HAROLD)
JEFFERSON, DOING BUSINESS AS J)
& J TRUCKING COMPANY.)
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DOCKET NO. 92A-060BY-
TRANSFER-TA

**COMMISSION ORDER GRANTING
TEMPORARY APPROVAL**

Mailed date: March 12, 1992
Adopted date: March 4, 1992

STATEMENT, FINDINGS, AND CONCLUSIONS

BY THE COMMISSION:

1. On February 11, 1992, Ivan A. & Raymond L. Enderson & Kim Jones, doing business as J & E Trucking Company, filed Docket Nos. 92A-058CY-Transfer-TA and 92A-060BY-Transfer-TA for temporary approval to conduct operations under Certificate of Public Convenience and Necessity PUC No. 403&I and Contract Carrier Permit No. B-1317&I pending determination of the related applications to acquire the certificate and permit from Alvin & Harold Jefferson, doing business as J & J Trucking Company.

2. The Commission gave notice of the applications on February 18, 1992. No interventions were received.

3. By § 40-6-120, C.R.S., the applications for temporary approval are under consideration for a Commission order.

4. Section 40-6-120(2), C.R.S., authorizes the Commission to grant temporary approval ". . . if it appears that failure to grant such temporary approval may result in destruction of or injury to such carrier or carrier properties sought to be acquired or to interfere substantially with their future usefulness in the performance of adequate and continuous service to the public."

5. The support filed on behalf of the applications indicates that a number of individuals and businesses rely on the transferor's transportation services on a daily basis and failure to obtain temporary approval may decrease the value of the business if there is disruption to the public under the authorities.

6. Due to the statements in paragraph (5), the Commission finds that failure to grant temporary approval may result in destruction or injury to the carrier or carrier's properties and, therefore, the applications for temporary approval are in the public interest and should be granted.

THEREFORE THE COMMISSION ORDERS THAT:

1. Ivan A. & Raymond L. Enderson & Kim Jones, doing business as J & E Trucking Company, are granted temporary approval to conduct operations under Certificate of Public Convenience and Necessity PUC No. 403&I and Contract Carrier Permit No. B-1317&I pending determination of the related applications to acquire the certificate and permit from Alvin & Harold Jefferson, doing business as J & J Trucking Company, for a period of 180 days commencing from the mailed date, which is conditioned on Applicants

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meeting the requirements contained in this Order, and is not effective until those requirements have been met.

2. Ivan A. & Raymond L. Enderson & Kim Jones, doing business as J & E Trucking Company, shall not commence operation 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 Transferees have been notified by the Commission that operations may begin.

3. 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 this decision.

This Order is effective on its date of mailing.

DONE IN OPEN MEETING on March 4, 1992.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER GARY L. NAKARADO
ABSENT.

ORDER-DH

TRANSFEREE:

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d/b/a J & J Trucking Company
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Akron, CO 80720

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6-Docketing

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