

(Decision No. C92-1151)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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|------------------------------------|-----------------------|
| THE APPLICATION OF HENDERSON )     |                       |
| HEAVY HAUL TRUCKING, INC., FOR )   |                       |
| TEMPORARY AUTHORITY TO EXTEND )    |                       |
| OPERATIONS UNDER CERTIFICATE OF )  | DOCKET NO. 92A-402CY- |
| PUBLIC CONVENIENCE AND NECESSITY ) | EXTENSION-TA          |
| PUC NO. 49688. )                   |                       |
| - - - - - )                        |                       |

**COMMISSION ORDER GRANTING  
TEMPORARY AUTHORITY**

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Mailed date: September 23, 1992  
Adopted date: September 23, 1992  
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STATEMENT, FINDINGS, AND CONCLUSIONS

BY THE COMMISSION:

1. On August 26, 1992, Henderson Heavy Haul Trucking, Inc., filed Docket No. 92A-402CY-Extension-TA for temporary authority to extend operations under Certificate of Public Convenience and Necessity PUC No. 49688 for the transportation of self-propelled machinery and equipment and related incidental or component parts when moving as part of the same shipment between all points in the area comprised of the Counties of Denver, Adams, Arapahoe, Boulder, Jefferson, and Weld, State of Colorado, and between said points, on the one hand, and all points in the State of Colorado, on the other hand. This application is restricted against the transportation of Mercer description items, and further restricted to the use of low-boy and/or step-deck trailers.

2. The Commission gave notice of the application on August 31, 1992. Interventions opposing a grant of the application were filed by Titan Trucking, Inc.; Black Hills Trucking, Inc.; and Bob's Auto Service, Inc. On September 21, 1992, the Applicant and intervenors, Titan Trucking, Inc. and Bob's Auto Service, Inc.,

entered into a stipulation to amend the authority and withdraw the interventions.

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 consists of five letters from shippers located in the Denver metropolitan area. All of the shippers need transportation of the specified commodities from the Denver area to various points in the State of Colorado. The shippers have used other companies for their transportation needs, including Titan Trucking, Keen Transport, Duffy, CAST, and Black Hills Trucking. The shippers state that they need additional service to handle their needs and that the existing carriers do not have the necessary equipment in sufficient quantities to meet their needs. Further, the supporting documents indicate an urgency due to the need to move equipment on a timely basis.

6. The Commission finds due to the facts stated in paragraph 5 above, there is an immediate and urgent need for additional transportation services. 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 an temporary authority makes no presumption that permanent authority will be granted.

THEREFORE THE COMMISSION ORDERS THAT:

1. Henderson Heavy Haul Trucking, Inc. is granted temporary authority to extend operations under Certificate of Public Convenience and Necessity PUC No. 49688 for a period of 180 days commencing from the mailed date of this order, with authority as set forth in the attached Appendix.

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2. Henderson Heavy Haul Trucking, Inc. shall not commence operation until all requirements have been met and notice in

writing has been received from the Commission that the Applicant is in compliance and may begin service.

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 or serves this decision.

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

DONE IN OPEN MEETING September 23, 1992.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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Commissioners

ORDER-HQ

Appendix A  
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Extension-TA  
September 23, 1992

Transportation of

self-propelled machinery and equipment and related incidental or component parts when moving as part of the same shipment

between all points in the area comprised of the Counties of Denver, Adams, Arapahoe, Boulder, Jefferson, and Weld, State of Colorado, and between said points, on the one hand, and all points in the State of Colorado, on the other hand.

This temporary authority is restricted as follows:

- 1) against the transportation of Mercer description items; and
- 2) to the use of low-boy and/or step-deck trailers.

ORDER-HQ

APPLICANT:

Henderson Heavy Haul Trucking, Inc.  
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APPLICANT'S ATTORNEY:

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INTERVENOR:

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INTERVENOR'S ATTORNEY:

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KIMBALL & NESPOR, P.C.  
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INTERVENOR:

Black Hills Trucking, Inc.  
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INTERVENOR'S ATTORNEY:

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INTERVENOR:

Bob's Auto Service, Inc.  
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Englewood, CO 80110

INTERVENOR'S ATTORNEY:

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