

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

THE APPLICATION OF PURINA MILLS,)
INC. FOR TEMPORARY AUTHORITY TO)
CONDUCT OPERATIONS AS A CONTRACT)
CARRIER BY MOTOR VEHICLE FOR) DOCKET NO. 92A-538BY-TA
HIRE.)
- - - - -)

**COMMISSION ORDER GRANTING
TEMPORARY AUTHORITY**

Mailed date: October 28, 1992
Adopted date: October 21, 1992

STATEMENT, FINDINGS, AND CONCLUSIONS

BY THE COMMISSION:

1. On October 7, 1992, Purina Mills, Inc., filed Docket No. 92A-538BY-TA for temporary authority to conduct operations as a contract carrier by motor vehicle for hire for the transportation of animal feed, animal feed ingredients, animal feed supplements, grain, and grain products between all points in the State of Colorado. Restricted to providing service for only Northern Colorado Feed Limited Liability Company.

2. The Commission gave notice of the application on October 13, 1992.

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 is a newly created company for the purpose of manufacturing livestock feed. The shipper will own and will be operating the former Purina Mills plant at Lucerne, Colorado and the former Denver Feed Co. mill in Commerce City. When Purina owned the mill, it hauled its own product, which it sold to Monfort and other customers. The new business structure has the shipper producing and owning the product and selling it to Monfort and others. In order for Purina Mills to continue to haul the product for the shipper, which Purina previously hauled for itself, contract carrier authority is necessary as soon as possible.

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 a temporary authority makes no presumption that permanent authority will be granted.

THEREFORE THE COMMISSION ORDERS THAT:

1. Purina Mills, Inc. is granted temporary authority to conduct operations as a contract carrier by motor vehicle for hire for a period of 180 days commencing from the mailed date of this order, with authority as set forth in the attached Appendix.

2. Purina Mills, 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 October 21, 1992.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

ORDER-IU

Appendix A
Page 1 of 1 Page
Decision No. C92-1331
Docket No. 92A-538BY-TA
October 21, 1992

Transportation of

animal feed, animal feed ingredients, animal feed supplements, grain,
and grain products

between all points in the State of Colorado.

Restricted to providing service for only Northern Colorado Feed
Limited Liability Company.

ORDER-IU

APPLICANT:

Purina Mills, Inc.
9200 East 90th Avenue
Henderson, CO 80640

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