

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

THE APPLICATION OF BARRY S. ROSS,)
DOING BUSINESS AS B AND T)
DELIVERY, FOR TEMPORARY)
AUTHORITY TO CONDUCT OPERATIONS) DOCKET NO. 92A-533BY-TA
AS A CONTRACT CARRIER BY MOTOR)
VEHICLE FOR 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 6, 1992, Barry S. Ross, doing business as B and T Delivery, filed Docket No. 92A-533BY-TA for temporary authority to conduct operations as a contract carrier by motor vehicle for hire for the transportation of washers, dryers, refrigerators, televisions, stereos, dishwashers, and ranges between all points in the area comprised of the Counties of El Paso, Teller, and Pueblo, State of Colorado. Restricted to providing service for only McDuff's.

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 letter filed on behalf of this application indicates that an immediate and urgent need exists for the service requested.

6. The Commission finds that there is as immediate and urgent need for the transportation service requested. 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. Barry S. Ross, doing business as B and T Delivery, 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. Barry S. Ross, doing business as B and T Delivery, 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. If Applicant does not comply with the requirements of this ordering paragraph within 30 days of the mailing date of this order, then ordering paragraph 1 above, which grants authority to the Applicant, shall be void, and the authority granted shall then be void.

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-IF

Appendix A
Page 1 of 1 Page
Decision No. C92-1332
Docket No. 92A-533BY-TA
October 21, 1992

Transportation of

washers, dryers, refrigerators, televisions, stereos, dishwashers,
and ranges

between all points in the area comprised of the Counties of El Paso,
Teller, and Pueblo, State of Colorado.

This Permit is restricted to providing service for only McDuff's.

ORDER-IF

APPLICANT:

Barry S. Ross
dba B and T Delivery
800 South Santa Fe, A14
Fountain, CO 80817

ROUTE:

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3
4
6-Docketing
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50
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