

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

THE APPLICATION OF BABBIT)
TRANSPORTATION SERVICES, INC.,)
FOR TEMPORARY AUTHORITY TO)
CONDUCT OPERATIONS AS A CONTRACT) DOCKET NO. 92A-550BY-TA
CARRIER BY MOTOR VEHICLE FOR)
HIRE.)
- - - - -

**COMMISSION ORDER GRANTING
TEMPORARY AUTHORITY**

Mailed date: November 13, 1992
Adopted date: November 4, 1992

STATEMENT, FINDINGS, AND CONCLUSIONS

BY THE COMMISSION:

1. On October 21, 1992, Babbit Transportation Services, Inc., filed Docket No. 92A-550BY-TA for temporary authority to conduct operations as a contract carrier by motor vehicle for hire for the transportation of general commodities (1) between the central distribution facilities (Denver Distribution Center) owned or utilized by Safeway Stores 44, Inc. located at 4600 East Stapleton Drive in Denver, Colorado, on the one hand, and on the other hand, (a) all retail outlets operated by Safeway Store in the State of Colorado, (b) all public warehouses utilized by Safeway Stores located within a 35-mile radius of the Denver Distribution Center, (c) all farms and ranches utilized by Safeway Stores in the State of Colorado; (2) between retail outlets operated by Safeway Stores in the State of Colorado. Restricted to providing service for only Safeway Stores 44, Inc.

2. The Commission gave notice of the application on October 26, 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 letter of support filed on behalf of this application indicates there is an immediate and urgent need for the service requested.

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. Babbit Transportation Services, 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. Babbit Transportation Services, 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 November 4, 1992.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER CHRISTINE E. M.
ALVAREZ ABSENT.

ORDER-JG

Appendix A
Page 1 of 1 Page
Decision No. C92-1393
Docket No. 92A-550BY-TA
November 4, 1992

Transportation of
general commodities

- (1) between the central distribution facilities (Denver Distribution Center) owned or utilized by Safeway Stores 44, Inc. located at 4600 East Stapleton Drive in Denver, Colorado, on the one hand, and on the other hand,
 - (a) all retail outlets operated by Safeway Store in the State of Colorado,
 - (b) all public warehouses utilized by Safeway Stores located within a 35-mile radius of the Denver Distribution Center,
 - (c) all farms and ranches utilized by Safeway Stores in the State of Colorado;
- (2) between retail outlets operated by Safeway Stores in the State of Colorado.

This permit is restricted to providing service for only Safeway Stores 44, Inc.

ORDER-JG

APPLICANT:

Babbit Transportation Services, Inc.
3150 Brighton Boulevard
Denver, CO 80216

APPLICANT'S ATTORNEY:

John J. Conway, Esq.
4704 Harlan Street, No. 300
Denver, CO 80212

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