

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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THE APPLICATION OF TODD )  
EXPEDITING, INC., DOING BUSINESS )  
AS DENVER EXPRESS TRUCKING, )  
INC., FOR TEMPORARY APPROVAL TO )  
ASSUME OPERATIONAL CONTROL OF )  
CERTIFICATE OF PUBLIC )  
CONVENIENCE AND NECESSITY PUC )  
NO. 340&I PENDING COMMISSION )  
CONSIDERATION OF THE RELATED )  
APPLICATION TO PERMANENTLY )  
ACQUIRE THE CERTIFICATE FROM )  
BUEHLER MOVING & STORAGE CO., )  
DOING BUSINESS AS DENVER EXPRESS )  
TRUCKING, INC. )  
- - - - - )

DOCKET NO. 92A-556CY-  
TRANSFER-TA

**COMMISSION ORDER GRANTING  
TEMPORARY APPROVAL**

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Mailed date: November 13, 1992  
Adopted date: November 4, 1992  
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STATEMENT, FINDINGS, AND CONCLUSIONS

BY THE COMMISSION:

1. On October 20, 1992, Todd Expediting, Inc., doing business as Denver Express Trucking, Inc., filed Docket No. 92A-556CY-Transfer-TA for temporary approval to assume operational control of Certificate of Public Convenience and Necessity PUC No. 340&I pending Commission consideration of the related application to permanently acquire the certificate from Buehler Moving & Storage Co., doing business as Denver Express Trucking, Inc.

2. The Commission gave notice of the application on October 26, 1992. No interventions were received.

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 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 letter of support filed on behalf of this application indicates there is an immediate and urgent need for the transfer requested.

6. The Commission finds due to the facts stated in paragraph 5 above, that failure to grant the application could result in injury to the certificate and ultimately effect service to the public. The Commission will therefore grant the application.

7. The Applicant has adequate equipment and financial resources to begin immediate service within the scope of the authority to be operated, and is willing, ready, and able to operate under all Commission rules and regulations governing carriers by motor vehicle.

8. This application for temporary approval is in the public interest and should be granted.

9. The Applicant is advised that the granting of a temporary approval makes no presumption that permanent authority will be granted.

THEREFORE THE COMMISSION ORDERS THAT:

1. Todd Expediting, Inc., doing business as Denver Express Trucking, Inc., is granted temporary approval to conduct operations under Certificate of Public Convenience and Necessity PUC No. 340&I for a period of 180 days commencing from the mailed date of this decision.

2. Todd Expediting, Inc., doing business as Denver Express Trucking, Inc., shall not commence operations 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

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Commissioners

COMMISSIONER CHRISTINE E. M.  
ALVAREZ ABSENT.

ORDER-JI

TRANSFeree:

Todd Expediting, Inc.  
dba Denver Express Trucking, Inc.  
3955A Newport Street  
Denver, CO 80207

TRANSFEROR:

Buehler Moving & Storage Co.  
dba Denver Express Trucking, Inc.  
3899 Jackson Street  
Denver, CO 80205

ATTORNEY FOR TRANSFeree & TRANSFEROR:

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