

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
HARRY FOLKERTS, DBA FUEL SERVICE )  
CO., 864 SO. BROADWAY, DENVER 9, )  
COLORADO. )  
)  
)  
-----

PERMIT NO. C-1258.

-----  
February 25, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Harry Folkerts, d/b/a Fuel Service Company,.....  
requesting that Permit No. C-1258.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-1258....., heretofore issued to.....  
Harry Folkerts, d/b/a Fuel Service Company,.....be,  
and the same is hereby, declared cancelled effective February 11, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

-----  
*Malcolm Erickson*  
-----  
*Ralph C. Herbert*  
-----  
*John R. Berry*  
Commissioners

Dated at Denver, Colorado,  
this 25th day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
CHARLES NEUGEBAUER, 4300 E. )  
FLORIDA AVE., DENVER 10, COLO. ) PERMIT NO. C-9312.  
)  
)  
)  
-----

-----  
February 25, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Charles Neugebauer,.....  
requesting that Permit No. C-9312 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-9312, heretofore issued to.....  
Charles Neugebauer,..... be,  
and the same is hereby, declared cancelled effective January 28, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcom Erickson*  
-----  
*Ralph C. Hontela*  
-----  
*John R. Barry*  
-----  
Commissioners

Dated at Denver, Colorado,  
this 25th day of February, 1948.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
KOLLMAN-WARNER CO. INC., 407 )  
PROSPECT ST., NORFOLK, NEBR. )  
 )  
 )  
 )

PERMIT NO. C-16098.

February 25, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Kollman-Warner Co. Inc.,.....  
requesting that Permit No. C-16098.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-16098....., heretofore issued to.....  
Kollman-Warner Co. Inc.,.....be,  
and the same is hereby, declared cancelled effective February 6, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcolm Erickson*  
\_\_\_\_\_  
*Ralph C. Norton*  
\_\_\_\_\_  
*John R. Barry*  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,

this 25th day of February, 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
 )  
FRED GRUNDMEYER, 913 - 2nd AVE. )  
LONGMONT, COLORADO. )  
 )  
 )  
 )

PERMIT NO. C-17822.

February 25, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Fred Grundmeyer,.....  
requesting that Permit No. C-17822.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-17822....., heretofore issued to.....  
Fred Grundmeyer,.....be,  
and the same is hereby, declared cancelled effective February 1, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcom Erickson  
.....  
Ralph C. Montfort  
.....  
John R. Perry  
Commissioners

Dated at Denver, Colorado,  
this 25th day of February,....., 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
F. S. RINGER DBA RINGER SOFT )  
WATER AND FUEL, LAS ANIMAS, )  
COLORADO. )  
----- )

PERMIT NO. C-18460.

-----  
February 25, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
F. S. Ringer d/b/a Ringer Soft Water and Fuel,-----  
requesting that Permit No. C-18460-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-18460-----, heretofore issued to-----  
F. S. Ringer d/b/a Ringer Soft Water and Fuel,-----be,  
and the same is hereby, declared cancelled effective January 23, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

-----  
Malcolm Erickson  
-----  
Ralph C. Norton  
-----  
John B. Berry  
Commissioners

Dated at Denver, Colorado,  
this 25th day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
HARRY SELL, RT. 2, FT. MORGAN, )  
COLORADO. )  
)  
)  
)

PERMIT NO. C-18490.

February 25, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Harry Sell......  
requesting that Permit No. ....C-18490.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. ....C-18490....., heretofore issued to.....  
Harry Sell,.....be,  
and the same is hereby, declared cancelled effective February 5, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson  
Ralph C. [unclear]  
John R. Barry.  
Commissioners

Dated at Denver, Colorado,  
this.....25th.....day of February....., 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
BERT H. DURNELL AND MARVIN )  
HOGSETT, LA SALLE, COLORADO. )  
)  
)  
)  
-----

PERMIT NO. C-20070.

-----  
February 18, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Bert H. Durnell and Marvin Hogsett,.....  
requesting that Permit No. C-20070.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20070....., heretofore issued to.....  
Bert H. Durnell and Marvin Hogsett,.....be,  
and the same is hereby, declared cancelled effective February 7, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

-----  
*Malcolm Ericsson*  
-----  
*Ralph C. Norton*  
-----  
*John R. Perry*  
Commissioners

Dated at Denver, Colorado,  
this 25th day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
HAROLD E. WYATT, 700 E. MAIN, )  
FLORENCE, COLORADO )  
)  
)  
)

PERMIT NO. C-19105.

February 25, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Harold E. Wyatt,  
requesting that Permit No. C-19105 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19105, heretofore issued to.....  
Harold E. Wyatt,.....be,  
and the same is hereby, declared cancelled effective January 18, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcolm Erickson*

*Ralph C. Norton*

*John R. Barry*

Commissioners

Dated at Denver, Colorado,  
this 25th day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
H. A. SMITH AND GEORGE HAUN, )  
d/b/a H. A. SMITH & CO., )  
WORLAND, WYOMING. )  
 )  
 )

PERMIT NO. C-19561.

February 25, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
H. A. Smith and George Haun,.....  
requesting that Permit No. C-19561 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19561, heretofore issued to.....  
H. A. Smith and George Haun,..... be,  
and the same is hereby, declared cancelled effective January 18, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Malcolm Erickson*  
*Ralph C. Horton*  
*John R. Berry*  
Commissioners

Dated at Denver, Colorado,  
this 25th day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ROBERT J. ALLDAFFER, 5300 WEST )  
3rd AVE., DENVER 14, COLO. )  
)  
)  
)

PERMIT NO. C-20141.

-----  
February 25, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Robert J. Alldaffer,.....  
requesting that Permit No. C-20141 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20141, heretofore issued to.....  
Robert J. Alldaffer,..... be,  
and the same is hereby, declared cancelled effective January 17, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcolm Erickson*

*Ralph C. Norton*

*John R. Barry*

Commissioners

Dated at Denver, Colorado,

this 25th day of February, 1948.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
CLEO M. KIMBROUGH, BOX 102, )  
BRIGGSDALE, COLORADO. )  
)  
)  
)

PERMIT NO. C-20159.

February 25, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Cleo M. Kimbrough,.....  
requesting that Permit No. C-20159.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20159....., heretofore issued to.....  
Cleo M. Kimbrough,.....be,  
and the same is hereby, declared cancelled effective February 1, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcom Erickson*  
\_\_\_\_\_  
*Ralph C. Stanton*  
\_\_\_\_\_  
*John R. Barry*  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,  
this 25th day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
F. E. GOODWIN, BOX 226, )  
BLACKHAWK, COLORADO. )  
 ) PERMIT NO. C-20281.  
 )  
 )  
 )  
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-----  
February 25, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
F. E. Goodwin,.....  
requesting that Permit No. C-20281.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20281....., heretofore issued to.....  
F. E. Goodwin,.....be,  
and the same is hereby, declared cancelled effective February 3, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO  
*Malcolm Erickson*  
\_\_\_\_\_  
*Ralph C. Norton*  
\_\_\_\_\_  
*John R. Barry*  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,  
this 25th day of February, 1948.  
ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
CURTIS & SHERMAN SEVERN, )  
2832 LARIMER ST., DENVER 5, ) PERMIT NO. C-20389.  
COLORADO. )  
----- )

-----  
February 25, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Curtis & Sherman Severn,.....  
requesting that Permit No. C-20389.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20389....., heretofore issued to.....  
Curtis & Sherman Severn,.....be,  
and the same is hereby, declared cancelled effective February 6, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcolm Erickson*  
-----  
*Ralph C. Horton*  
-----  
*John B. Barry*  
-----  
Commissioners

Dated at Denver, Colorado,  
this 25th day of February, 194 8.  
ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
EVERETT E. SAUER AND CHARLES J. )  
SNIDER, DBA DAILY MEAT CO., )  
BOX 515, FT. LUPTON, COLORADO. )  
PERMIT NO. C-19727.  
-----

-----  
February 25, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Everett E. Sauer and Charles J. Snider, d/b/a Daily Meat Co.,.....  
requesting that Permit No. C-19727.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19727....., heretofore issued to.....  
Everett E. Sauer and Charles J. Snider, d/b/a Daily Meat Co.,.....be,  
and the same is hereby, declared cancelled effective January 1, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcom Erickson*  
\_\_\_\_\_  
*Ralph C. Horton*  
\_\_\_\_\_  
*John R. Barry*  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,  
this 25th day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
  )  
QUENTIN FAILING, BX 453,            )  
CANON CITY, COLORADO.                )  
  )  
  )  
-----

PERMIT NO. C-20091.

-----  
February 25, 1948  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Quentin Failing,.....  
requesting that Permit No. C-20091.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20091....., heretofore issued to.....  
Quentin Failing,.....be,  
and the same is hereby, declared cancelled effective February 4, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson  
Ralph C. Norton  
Commissioners

Dated at Denver, Colorado,  
this 25th day of February, 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
HARRY S. GRAY, GENERAL DELIVERY, )  
TRINIDAD, COLORADO )  
 )  
 )  
 )

PERMIT NO. C-20104.

February 25, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Harry S. Gray,  
requesting that Permit No. C-20104.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20104....., heretofore issued to.....  
Harry S. Gray,.....be,  
and the same is hereby, declared cancelled effective January 17, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO  
*Malcom Erickson*  
*Ralph C. Norton*  
*John R. Barry*  
Commissioners

Dated at Denver, Colorado,  
this 25th day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
LEE R. LINGO, 1623 SHERMAN, )  
CANON CITY, COLORADO. ) PERMIT NO. C-20144.  
 )  
 )  
 )

February 25, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Lee R. Lingo,.....  
requesting that Permit No. C-20144.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20144....., heretofore issued to.....  
Lee R. Lingo,.....be,  
and the same is hereby, declared cancelled effective February 9, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcom Erickson  
Ralph C. Houtant  
John R. Cherry  
Commissioners

Dated at Denver, Colorado,  
this 25th day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JOHN R. HALL, VETERANS VILLAGE, )  
BUCKLEY FIELD, DENVER, COLORADO )  
)  
)  
)

PERMIT NO. C-20183.

February 25, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
John R. Hall.....  
requesting that Permit No. C-20183.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20183....., heretofore issued to.....  
John R. Hall,.....be,  
and the same is hereby, declared cancelled effective January 27, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO  
*Malcolm Erickson*  
*Ralph C. Norton*  
*John R. Barry*  
Commissioners

Dated at Denver, Colorado,  
this 25th day of February, 1948.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
GILBERT E. LUJAN, 717 9th ST., )  
ALAMOSA, COLORADO. ) PERMIT NO. C-20196.  
 )  
 )  
 )  
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-----  
February 25, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Gilbert E. Lujan,  
.....  
requesting that Permit No. C-20196.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20196....., heretofore issued to.....  
Gilbert E. Lujan,.....be,  
and the same is hereby, declared cancelled effective January 26, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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-----  
-----  
Commissioners

Dated at Denver, Colorado,  
this 25th day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
M. D. WILLIAMSON, 1723 EAST )  
11TH, PUEBLO, COLORADO. )  
PERMIT NO. C-20352 )  
----- )

-----  
February 25, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
M. D. Williamson,.....  
requesting that Permit No. C-20352 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20352, heretofore issued to.....  
M. D. Williamson,.....be,  
and the same is hereby, declared cancelled effective January 5, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcolm Erickson*  
-----  
*Ralph C. Hart*  
-----  
*John P. Gentry*  
-----  
Commissioners

Dated at Denver, Colorado,  
this 25th day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
FRANK R. STERLING, 1140 W. 9th, )  
GOLDEN, COLORADO. )  
)  
)  
)

PERMIT NO. C-20354.

February 25, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Frank R. Sterling,  
requesting that Permit No. C-20354.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20354....., heretofore issued to.....  
Frank R. Sterling,.....be,  
and the same is hereby, declared cancelled effective December 30, 1947.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Malcom Erickson*  
*Ralph C. Johnston*  
*John R. Barry*  
Commissioners

Dated at Denver, Colorado,  
this 25th day of February, 1948.  
ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
R. M. HUBER, GRAND VALLEY, )  
COLORADO. ) PERMIT NO. C-6778.  
 )  
 )  
 )  
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-----  
February 25, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
R. M. Huber,.....  
requesting that Permit No. C-6778.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-6778....., heretofore issued to.....  
R. M. Huber,.....be,  
and the same is hereby, declared cancelled effective February 2, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcom Erickson*  
-----  
*Ralph C. Norton*  
-----  
*John R. Barry*  
-----  
Commissioners

Dated at Denver, Colorado,  
this 25th day of February, 1948.  
ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
J. E. BAKER, PRITCHETT, COLO. )  
 )  
 ) PERMIT NO. C-8163.  
 )  
 )  
 )  
-----

-----  
February 25th, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
J. E. Baker,  
.....  
requesting that Permit No. C-8163.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-8163....., heretofore issued to.....  
J. E. Baker,  
.....be,  
and the same is hereby, declared cancelled effective January 1, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO  
*Malcolm Erickson*  
-----  
*Ralph C. Norton*  
-----  
*John R. Berry*  
-----  
Commissioners

Dated at Denver, Colorado,  
this 25th day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
SILVER STATE DAIRY, INC., 5207 )  
W. 38th AVE., DENVER 14, COLO. ) PERMIT NO. C-12028  
 )  
 )  
 )

February 25, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Silver State Dairy, Inc.,.....  
requesting that Permit No. C-12028.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-12028....., heretofore issued to.....  
Silver State Dairy, Inc.,.....be,  
and the same is hereby, declared cancelled effective February 2, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO  
*Malcolm Erickson*  
*Ralph C. Norton*  
*John R. Barry*  
Commissioners

Dated at Denver, Colorado,  
this 25th day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
CLARENCE T. LARSON, RT. 1, )  
BOX 342, LOVELAND, COLORADO. ) PERMIT NO. C-12629.  
 )  
 )  
 )

February 25, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Clarence T. Larson,.....  
requesting that Permit No. C-12629.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-12629....., heretofore issued to.....  
Clarence T. Larson,.....be,  
and the same is hereby, declared cancelled effective February 5, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcolm Erickson*

*Ralph C. Norton*

*John R. Barry*

Commissioners

Dated at Denver, Colorado,  
this 25th day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
WILFLEY LEASING COMPANY, )  
633 U. S. NATIONAL BANK BLDG., ) PERMIT NO. C-13143.  
DENVER, COLORADO. )  
----- )

-----  
February 25, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Wilfley Leasing Company,-----  
requesting that Permit No. C-13143-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-13143-----, heretofore issued to-----  
Wilfley Leasing Company,-----be,  
and the same is hereby, declared cancelled effective February 5, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcom Erickson*  
-----  
*Ralph C. Hinton*  
-----  
*John R. Barry*  
-----  
Commissioners

Dated at Denver, Colorado,  
this 25th day of February, 1948.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
A. L. JONES, ALEXANDER, KANS. )  
 )  
 ) PERMIT NO. C-14526.  
 )  
 )  
 )  
-----

-----  
February 25, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
A. L. Jones,.....  
requesting that Permit No. C-14526.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-14526....., heretofore issued to.....  
A. L. Jones,.....be,  
and the same is hereby, declared cancelled effective February 2, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO  
*Malcolm Erickson*  
-----  
*Ralph C. Horton*  
-----  
*John R. Barry*  
-----  
Commissioners

Dated at Denver, Colorado,  
this 25th day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
RALPH MILLER, 10412 ONEIDA, )  
PACOIMA, CALIFORNIA. ) PERMIT NO. C-14558  
)  
)  
)  
-----

-----  
February 25, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Ralph Miller,  
.....  
requesting that Permit No. C-14558.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-14558....., heretofore issued to.....  
Ralph Miller,  
.....be,  
and the same is hereby, declared cancelled effective January 19, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcom Erickson  
Ralph C. Houten  
John R. Barry  
Commissioners

Dated at Denver, Colorado,  
this 25th day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
HAROLD BARTON & L. R. McELHINNEY,  
d/b/a BARTON FRUIT CO., 313-321 )  
S. GRAND, BOX 508, ENID, OKLA. ) PERMIT NO. C-14802.  
 )  
 )  
-----

-----  
February 25, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Harold Barton & L. R. McElhinney, d/b/a Barton Fruit Co.,  
requesting that Permit No. C-14802.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-14802....., heretofore issued to.....  
Harold Barton & L. R. McElhinney, d/b/a Barton Fruit Co.,.....be,  
and the same is hereby, declared cancelled effective January 20, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcom Erickson  
Ralph C. Norton  
John R. Barry  
Commissioners

Dated at Denver, Colorado,  
this 25th day of February, 1948.

(Decision No. 29980)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
GREELEY GAS COMPANY FOR AN ORDER  
AUTHORIZING SAID COMPANY TO ISSUE  
SECURITIES AND TO CREATE LIENS ON  
ITS PROPERTY WITHIN THIS STATE, AND  
THE APPLICATION OF THE PROCEEDS  
THEREFROM.

APPLICATION NO. 9081

February 17, 1948

S T A T E M E N T

By the Commission:

Upon consideration of the application filed on February 16, 1948,  
by the Greeley Gas Company in the above-styled matter:

O R D E R

THE COMMISSION ORDERS:

That a public hearing be held, commencing on February 27, 1948, at  
2:00 o'clock P. M., 330 State Office Building, Denver, Colorado, respect-  
ing the matters involved and the issues presented in this proceeding.  
Any interested municipality or any representative of interested consumers  
or security holders of applicant company, and any other person whose  
participation herein is in the public interest, may intervene in said  
proceedings. Intervention petitions should be filed with the Commission  
on or before February 26, 1948, and should set forth the grounds for the  
proposed intervention, and the position and interest of the petitioners  
in the proceeding, and must be subscribed by interveners.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Malcolm Erickson*

*Ralph C. Norton*  
*John R. Barry*  
Commissioners

Dated at Denver, Colorado,  
this 17th day of February, 1948

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
EDWARD R. BUTLER, DOING BUSINESS ) CASE NO. 39702-INS.  
AS "BUTLER'S CREAMERY" P. O. BOX ) (Permit No. C-13725)  
416, SCOTTSBLUFF, NEBRASKA. )  
-----)

-----  
February 19, 1948  
-----

S T A T E M E N T

By the Commission:

On November 3, 1947, in Case No. 39702-Ins., the Commission entered an order revoking Permit No. C-13725, for failure to keep on file effective insurance.

Insurance was in effect, however, but, through neglect of the agent, was not filed in time to stop the revocation of the permit. Proper filing has now been made and the insurance is in order without lapse.

After careful consideration of the record and the files, the Commission is of the opinion, and finds, that our Decision No. 39702-INS., should be cancelled and set aside and said Permit No. C-13725 restored to its former status.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 39702-Ins., should be, and it hereby is, cancelled and set aside, and said Permit No. C-13725 restored to its former status as of November 3, 1947.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Malcolm Erickson*

*Joseph C. Hinton*

*John R. Barry*

Commissioners.

Dated at Denver, Colorado,  
this 19th day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JIM MOWBRAY, D/B/A MOWBRAY )  
TRUCK AND IMPLEMENT COMPANY, )  
7TH AND MAIN STREETS, DELTA, )  
COLORADO. )  
----- )

CASE NO. 40727-INS.  
(Permit No. C-20305)

-----  
February 19, 1948  
-----

S T A T E M E N T

By the Commission:

On January 19, 1948, in Case No. 40727-Ins., the Commission entered an order revoking Permit No. C-20305, for failure to keep on file effective insurance.

The proper insurance was filed, however, at the same time the order of revocation was mailed, but we were unable to recall at that time.

After careful consideration of the record and the files, the Commission is of the opinion, and finds, that our Decision No. 40727-Ins., should be cancelled and set aside and said Permit No. C-20305 restored to its former status.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 40727-Ins., should be, and it hereby is, cancelled and set aside, and said Permit No. C-20305 restored to its former status as of January 19, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Malcolm Erickson*

*John R. Barry*  
Commissioners.

Dated at Denver, Colorado,  
this 19th day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
SEVERO GONZALES, OF BOX 336, CENTER, )  
COLORADO, FOR A CLASS "B" PERMIT TO ) APPLICATION NO. 8989-PP.  
OPERATE AS A PRIVATE CARRIER BY )  
MOTOR VEHICLE FOR HIRE. )  
-----)

-----  
February 19, 1948  
-----

Appearances: Severo Gonzales, Center,  
Colorado, pro se;  
Conour and Conour, Esqs.,  
Del Norte, Colorado, for  
J. P. Wiederkehr and Son;  
M. M. Marshall, Esq., Ala-  
mosa, Colorado, for  
McCormick Brothers.

S T A T E M E N T

By the Commission:

On November 4, 1947, the applicant herein filed his application for a Class "B" permit to operate as a private carrier by motor vehicle for hire for the transportation of potatoes between points within a fifteen mile radius of Center, Colorado, for a period of ninety days.

The matter was set for hearing, and heard, January 23, 1948, at the Court House in Alamosa, Colorado.

At the hearing, the evidence disclosed that the applicant is the owner of a 1940 Ford, 1 $\frac{1}{2}$ -ton truck, and desires to haul potatoes in the Center area.

He now states that he would like a permanent permit so that he could haul potatoes during the entire year, but he had no customer witnesses to testify as to the need of his proposed service.

Inasmuch as the ninety-day period, for which the authority was sought, has expired, we can see no good reason for granting same, when protestants appeared protesting the application for any further extended

period, and it did not appear that common carrier service in the area is inadequate, and it further appeared that the granting of authority sought will tend to impair such common carrier service, which we must assume is adequate in the absence of a showing to the contrary.

After careful consideration of the record, the Commission is of the opinion, and finds, that the application should be denied for the reason that applicant has failed to make the necessary statutory showing.

O R D E R

THE COMMISSION ORDERS:

That the instant application be, and the same is hereby, denied.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Horton

John R. Barry  
Commissioners.

Dated at Denver, Colorado,  
this 19th day of February, 1948.

ea



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
HENRY TRUJILLO, CENTER, COLORADO, )  
FOR A CLASS "B" PERMIT TO OPERATE )  
AS A PRIVATE CARRIER BY MOTOR )  
VEHICLE FOR HIRE. )

APPLICATION NO. 8997-PF

---

February 21, 1948

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Appearances: Henry Trujillo, Center,  
Colorado, pro se;  
Conour and Conour, Esqs.,  
Del Norte, Colorado, for  
J. P. Wiederkehr and Son;  
M. M. Marshall, Esq., Alamosa,  
Colorado, for McCormick  
Brothers;  
T. A. White, Esq., and  
A. J. Tait, Denver, Colorado,  
for Rio Grande Motor Way.

S T A T E M E N T

By the Commission:

On October 31, 1947, Henry Trujillo, the applicant herein, filed his application for a Class "B" permit to operate as a private carrier by motor vehicle for hire for the transportation of farm produce, sand, and gravel, to and from points within a radius of fifty miles of Center, Colorado.

The matter was set for hearing, and heard, January 23, 1948, at the Court House in Alamosa, Colorado, and there taken under advisement.

At the hearing, the evidence disclosed that applicant is the owner of a 1937 Chevrolet  $1\frac{1}{2}$ -ton truck and has customers residing in an area extending 10 miles east, 8 miles north, 6 miles south, and 2 miles west of Center, Colorado.

The application, as now amended by the evidence, eliminates the protests of all protestants other than McCormick Brothers of Center, Colorado.

Inasmuch as McCormick Brothers are presently operating with only one truck, and while they plan to add another truck to their operation, they have failed to show that the granting of the application would impair their service. The Commission has no other alternative than to grant the application, as amended, as we cannot see where the granting of the application would impair the services of common carriers now authorized to serve the area.

After careful consideration of the record, the Commission is of the opinion, and finds, that the authority, as hereinafter limited, should be granted.

O R D E R

THE COMMISSION ORDERS:

That Henry Trujillo, of Center, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of farm produce (excluding livestock) from point to point within an area extending 10 miles east, 8 miles north, 6 miles south, and 2 miles west of Center, Colorado.

All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Malcolm Erickson*

*Ralph C. Hottel*  
*John R. Barry*  
Commissioners

DATED at Denver, Colorado,  
this 21st day of February, 1948.

( Decision No. 29985 )

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
C. T. ROGERS, 316 $\frac{1}{2}$  ALAMOSA AVENUE, )  
ALAMOSA, COLORADO, FOR A CLASS "A" )  
PERMIT TO OPERATE AS A PRIVATE CAR- )  
RIER BY MOTOR VEHICLE FOR HIRE. )

APPLICATION NO. 8980-PP

February 21, 1948

Appearances: C. T. Rogers, Alamosa,  
Colorado, pro se.

S T A T E M E N T

By the Commission:

On December 15, 1947, the applicant herein filed his application for a Class "A" permit to operate as a private carrier by motor vehicle for hire for the transportation of milk and cream from farms within a 25-mile radius of Alamosa to creameries in Alamosa and Sanford, Colorado, with return of empty cans.

The matter was set for hearing, and heard, January 23, 1948, at the Court House at Alamosa, Colorado, and there taken under advisement.

At the hearing, the evidence disclosed that applicant is the owner of a 1941, 1 $\frac{1}{2}$ -ton International truck, equipped with van body, and is well qualified financially and by experience to carry on his proposed operation.

John Rames, manager of the Beatrice Creamery located at Alamosa, Colorado, testified as to his creamery's need for applicant's service.

No one appeared protesting the granting of the permit, and the Commission cannot see, from the record and the evidence introduced, where the granting of the proposed application would impair the services of common carriers now authorized to serve the area.

After careful consideration of the record, the Commission is of the opinion, and finds, that the application should be granted.

O R D E R

THE COMMISSION ORDERS:

That C. T. Rogers, of 316 $\frac{1}{2}$  Alamosa Avenue, Alamosa, Colorado, be, and he hereby is, authorized to operate as a Class "A" private carrier by motor vehicle for hire for the transportation of milk and cream from farms within a 25-mile radius of Alamosa, Colorado, to creameries at Alamosa and Sanford, Colorado, with return haul of empty cans.

All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of this Commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Malcolm Erickson*

DATED at Denver, Colorado,  
this 21st day of February, 1948.

*Ralph C. Holton*  
*John R. Barry*  
Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF	)	
RALPH P. MCINTYRE, OF 312 ALAMOSA	)	
AVENUE, ALAMOSA, COLORADO, FOR A	)	
CLASS "A" PERMIT TO OPERATE AS A	)	APPLICATION NO. 8978-PP
PRIVATE CARRIER BY MOTOR VEHICLE	)	
FOR HIRE.	)	

February 21, 1948

Appearances: Ralph P. McIntyre, Alamosa,  
Colorado, pro se.

S T A T E M E N T

By the Commission:

On December 15, 1947, the applicant herein filed his application for a Class "A" permit to operate as a private carrier by motor vehicle for hire for the transportation of milk and cream from farms within a 25-mile radius of Alamosa, Colorado, to creameries at Alamosa, and Sanford, Colorado, with return of empty cans.

The matter was set for hearing, and heard, January 23, 1948, at the Court House at Alamosa, Colorado, and there taken under advisement.

At the hearing, the evidence disclosed that applicant is the owner of a 1942 Chevrolet van type  $1\frac{1}{2}$ -ton truck, and is well qualified financially and by experience to carry on his proposed operation.

John Rames, manager of the Beatrice Creamery located at Alamosa, Colorado, testified as to his creamery's need for applicant's service.

No one appeared protesting the granting of the permit, and the Commission cannot see, from the record and the evidence introduced, where the granting of the proposed application would impair the services of common carriers now authorized to serve the area.

After careful consideration of the record, the Commission is of the opinion, and finds, that the application should be granted.

O R D E R

THE COMMISSION ORDERS:

That Ralph P. McIntyre, of 312 Alamosa Avenue, Alamosa, Colorado, be, and he hereby is, authorized to operate as a Class "A" private carrier by motor vehicle for hire for the transportation of milk and cream from farms within a 25-mile radius of Alamosa, to creameries at Alamosa and Sanford, Colorado, with return haul of empty cans.

All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of this Commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Hutton  
John P. Barry  
Commissioners

DATED at Denver, Colorado,  
this 21st day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE RATES, CHARGES, REGULATIONS, )  
AND PRACTICES OF THE PEETZ CO- ) INVESTIGATION AND SUSPENSION  
OPERATIVE TELEPHONE COMPANY. ) DOCKET NO. 267.  
-----)

-----  
February 18, 1948  
-----

S T A T E M E N T

By the Commission:

IT APPEARING, That on February 4, 1947, the Peetz Cooperative Telephone Company, by H. J. Weeth, President, filed a proposed schedule of new rates for telephone service, to become effective on the 1st day of March, 1947, which said proposed schedule was suspended by Decision No. 27632 on February 19, 1947, for a period of one hundred and twenty (120) days from February 25, 1947, or until June 25, 1947, which said suspension was, by Decision No. 28493, further suspended for a period of one hundred and twenty (120) days, from June 25, 1947, or until October 23, 1947, which said suspension was, by Decision No. 29172, of October 21, 1947, further suspended for a period of one hundred and twenty (120) days from October 23, 1947, or until February 20, 1948; and

IT NOW APPEARING, That a complete investigation cannot be concluded before February 20, 1948; and

IT FURTHER APPEARING, That the applicant has filed with the Commission a statement and petition, containing eighty-one signatures, of the users of service of the Peetz Cooperative Telephone Company, agreeing that they would not object to said company having an increase of \$1.00 per month in lieu of the 50 cents per month originally petitioned for.

The eighty-one signers, representing one-half of the users of service, and the Commission not being informed of the position of the remaining half, the Commission finds that the matter should be further suspended, and set for hearing.

O R D E R

THE COMMISSION ORDERS:

That the effective date of the proposed schedule be further suspended for one hundred and twenty (120) days from February 20, 1948, or until June 19, 1948.

That the matter be set for hearing in Sterling, Colorado, on the 18th day of March, 1948, at one o'clock P. M.

That a copy of this order be filed with the proposed rate schedule and complaints filed therewith, and that a copy hereof be served on H. J. Weeth, President of the Peetz Cooperative Telephone Company, Peetz, Colorado; Howard Adams, Peetz, Colorado; Lloyd Crowe, Proctor, Colorado; Joe C. Olivenius, Peetz, Colorado; Gilbert Wagner, Proctor, Colorado; and Elmer Davis, Peetz, Colorado.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Hutton  
John R. Barry  
Commissioners.

Dated at Denver, Colorado,  
this 18th day of February, 1948.

ea



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
LOUIS LUCERO, CENTER, COLORADO, FOR )  
A CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
-----

APPLICATION NO. 8977-PP

-----  
February 21, 1948  
-----

Appearances: Louis Lucero, Center, Colo-  
rado, pro se;  
Conour and Conour, Esqs.,  
Del Norte, Colorado, for  
J. P. Wiederkehr and Sons;  
M. M. Marshall, Esq., Alamosa,  
Colorado, for McCormick  
Brothers.

S T A T E M E N T

By the Commission:

On December 15, 1947, applicant herein filed his application for a Class "B" permit to operate as a private carrier by motor vehicle for hire for the transportation of farm produce from farms within a fifteen-mile radius of Center, Colorado, to storage sheds and rail shipping points.

The application was set for hearing, and heard, January 23, 1948, at the Court House in Alamosa, Colorado, and there taken under advisement.

At the hearing, the evidence disclosed that applicant is the owner of a 1941 Chevrolet one and one-half-ton truck, and has one customer filed with the Commission, namely, Phil Starbuck, of Monte Vista, Colorado.

Applicant stated he desired to serve the area fourteen miles south, twelve miles east, nine miles north, and three miles west of Center, Colorado.

Protestant Wiederkehr has no objection to the granting of the

permit, as limited to the area described by applicant's testimony.

Protestants McCormick Brothers, who hold PUC No. 1838, testified they presently own one truck, and are adding another to their operation.

It is obvious to the Commission that two trucks cannot take care of the common carrier demand in the Center area. This is admitted by protestants. Rule 5 of the Rules and Regulations Governing Private Carriers for Hire by Motor Vehicle provides:

"No application for authority to operate as a private carrier by motor vehicle in intrastate commerce or for authority to extend or enlarge an existing permit will be granted as a matter of course, nor will any such application be granted if the Commission shall be of the opinion, after hearing, that the proposed operation will impair the efficient public service of any authorized motor vehicle common carrier or carriers then adequately serving the same territory over the same general highway route or routes."

A review of the evidence before the Commission does not disclose where common carrier service in the area asked for in the application, as amended by the evidence at the hearing, will be impaired. Applicant, in all other respects, appears qualified to carry on his proposed operation.

After careful consideration of the record, the Commission is of the opinion, and finds, that authority, as hereinafter limited, should be granted.

#### O R D E R

##### THE COMMISSION ORDERS:

That Louis Lucero, Center, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of farm produce (excluding livestock) between points in an area extending fourteen miles south, twelve miles east, nine miles north, and three miles west of Center, Colorado.

All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, and the required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Malcolm Erickson*

*Ralph C. Hinton*

*John P. Barry*  
Commissioners

Dated at Denver, Colorado,  
this 21st day of February, 1948.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
LOUIS WEITZEL AND KATHERINE WEITZEL, )  
319 EAST MAGNOLIA STREET, FORT )  
COLLINS, COLORADO, FOR AUTHORITY TO )  
TRANSFER PERMIT NO. B-1446 TO LOUIS )  
WEITZEL, ROLAND WEITZEL, AND GEORGE )  
WEITZEL, CO-PARTNERS, DOING BUSI- )  
NESS AS "WEITZEL & SONS," 319 EAST )  
MAGNOLIA STREET, FORT COLLINS, COLO- )  
RADO. )  
-----

APPLICATION NO. 9077-PP-Transfer

-----  
February 24, 1948  
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S T A T E M E N T

By the Commission:

By Decision No. 7460, of date April 8, 1936, Louis Weitzel and Katherine Weitzel, Fort Collins, Colorado, were authorized to operate as Class "B" private carriers by motor vehicle for hire for the transportation of:

sand; rock, gravel, dirt, and other road surfacing materials, from point to point within a radius of seventy-five miles of Denver, Colorado,

said authority, by supplemental order (Decision No. 12084 of date July 9, 1938), being amended to authorize transportation of:

sand, rock, gravel, dirt, and other road surfacing materials, from point to point within a radius of seventy-five miles of Fort Collins, Colorado,

said permit being designated "Permit No. B-1446."

By the instant application, said permit-holders seek authority to transfer said operating rights to Louis Weitzel, Roland Weitzel, and George H. Weitzel, co-partners, doing business as "Weitzel & Sons," Fort Collins, Colorado.

Inasmuch as the files of the Commission and the verified application herein show that said permit is in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to account of

transferees; that there are no outstanding unpaid operating obligations against said permit; that transferees; pecuniarily and otherwise, are qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said permit, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

#### F I N D I N G S

##### THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to outstanding unpaid indebtedness, if any.

#### O R D E R

##### THE COMMISSION ORDERS:

That Louis Weitzel and Katherine Weitzel, Fort Collins, Colorado, be, and they hereby are, authorized to transfer all their right, title, and interest in and to Permit No. B-1446 -- being the operating rights granted by Decision No. 7460, as amended by Decision No. 12084 -- to Louis Weitzel, Roland Weitzel, and George H. Weitzel, co-partners, doing business as "Weitzel & Sons," Fort Collins, Colorado, subject to payment of outstanding indebtedness secured by mortgage, or otherwise, if any there be.

The right of transferees to operate under this order shall depend upon their compliance with all present and future laws and rules and regulations of the Commission.

This order is made a part of the permit authorized to be transferred.

That ten-mile tax deposit be transferred to account of transferees.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Malcolm Erickson*

*Ralph C. Norton*

*John R. Barry*  
Commissioner

Dated at Denver, Colorado,  
this 24th day of February, 1948.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
DONALD WESLEY WILSON, 512 MASON )  
STREET, FORT COLLINS, COLORADO, FOR )  
REINSTATEMENT OF PERMIT NO. B-3569 )  
AND FOR AUTHORITY TO TRANSFER SAID )  
OPERATING RIGHTS TO ED H. BURGNER, )  
515 LOCUST STREET, FORT COLLINS, )  
COLORADO. )

APPLICATION NO. 9073-PP-Transfer

February 24, 1948

S T A T E M E N T

By the Commission:

By Decision No. 27301, of date January 11, 1947, Donald Wesley Wilson, Fort Collins, Colorado, was authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of:

sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties.

By Decision No. 29604, of date December 23, 1947, said permit-holder was authorized to suspend operations under said permit (No. B-3569) until May 16, 1948.

By the instant application, said Donald Wesley Wilson asks that said permit be reinstated, and that he be authorized to transfer the same to Ed H. Burgner, Fort Collins, Colorado.

Inasmuch as the files of the Commission and the application herein show that said permit is in good standing; that road tax has been paid; that ton-mile tax deposit be transferred to account of transferee; that there are no outstanding unpaid operating obligations against said permit; that transferee, pecuniarily and otherwise, is qualified to carry on this operation, and it does not appear that any useful purpose would



be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said permit, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

### F I N D I N G S

#### THE COMMISSION FINDS:

That Permit No. B-3569 should be reinstated, and that the proposed transfer is compatible with the public and should be authorized, subject to outstanding indebtedness, if any.

### O R D E R

#### THE COMMISSION ORDERS:

That Permit No. B-3569 be, and the same hereby is, reinstated.

That Donald Wesley Wilson, Fort Collins, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. B-3569 to Ed H. Burgener, Fort Collins, Colorado, subject to payment of outstanding indebtedness secured by mortgage, or otherwise, if any there be.

The right of transferee to operate under this order shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order is made a part of the permit authorized to be transferred.

That ten-mile tax deposit be transferred to account of transferee.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Horton

John R. Barry  
Commissioners

Dated at Denver, Colorado,  
this 24th day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
CHARLES L. DEICH AND MARVIN DEICH, )  
CO-PARTNERS, DOING BUSINESS AS )  
"LIMON TRANSFER," LIMON, COLORADO, )  
FOR AUTHORITY TO TRANSFER PUC NO. )  
1095 TO CHARLES L. DEICH, DOING )  
BUSINESS AS "LIMON TRANSFER," LIMON, )  
COLORADO. )  
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APPLICATION NO. 9078-Transfer

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February 24, 1948  
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S T A T E M E N T

By the Commission:

On March 25, 1937, W. C. Deich, doing business as "Limon Transfer," Limon, Colorado, was granted a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire for the transportation of:

- (a) General freight, exclusive of livestock, from point to point within a radius of twenty-five miles of Limon, and to and from said area, from and to other points in the State of Colorado, save and except that no town to town movement is authorized in competition with line-haul common carrier, and no pick-up of freight shall be made from Matheson or points within a radius of three miles thereof, or from Hugo; (b) Lumber only from point to point within a radius of fifty miles of Limon, and from said area to and from other points in the State of Colorado; (c) Freight brought into Limon in carload lots only, for distribution to towns along Highway No. 40, 40-N and 40-S, in emergency cases only, and where the same cannot be handled expeditiously by authorized line-haul common carriers.

Pursuant to authority contained in Decision No. 25851, of date April 17, 1946, said certificate-holder transferred said operating rights (PUC No. 1095) to Charles L. Deich and Marvin Deich, Limon, Colorado, who, by the instant application, seek authority to transfer said PUC No. 1095 to Charles L. Deich, doing business as "Limon Transfer," Limon, Colorado -- Marvin Deich desiring to withdraw from said partnership.



2

Inasmuch as the files of the Commission and the verified application herein show that said certificate is in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to account of transferee; that there are no outstanding unpaid operating obligations against said certificate; that transferee, peculiarly and otherwise, is qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said certificate, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

#### F I N D I N G S

##### THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to outstanding indebtedness, if any.

#### O R D E R

##### THE COMMISSION ORDERS:

That Marvin Deich, Limon, Colorado, be, and he hereby is, authorized to withdraw from partnership of Charles L. Deich and Marvin Deich, co-partners, doing business as "Limon Transfer," and said Charles L. Deich and Marvin Deich, co-partners, doing business as "Limon Transfer," Limon, Colorado, be, and they hereby are, authorized to transfer all their right, title, and interest in and to FUC No. 1095 -- being the authority granted by Decision No. 9683, of date March 25, 1937 -- to Charles L. Deich, doing business as "Limon Transfer," Limon, Colorado, subject to payment of outstanding indebtedness secured by mortgage, or otherwise, if any there be.

The tariff of rates, rules and regulations of transferors shall become and remain those of transferee until changed according to law and the rules and regulations of this Commission.

That ton-mile tax deposit be transferred to account of transferee.

2

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Hutton

John R. Barry

Commissioners

Dated at Denver, Colorado,  
this 24th day of February, 1948.

llw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF )  
WALTER L. ROUNTREE AND DUANE L. )  
ROUNTREE, CO-PARTNERS, ARICKAREE, )  
COLORADO, FOR AUTHORITY TO TRANSFER )  
PUC NO. 984 TO WALTER L. ROUNTREE )  
AND MARION E. BROWN, CO-PARTNERS, )  
DOING BUSINESS AS "WILADEL TRUCK )  
LINE," ARICKAREE, COLORADO. )  
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APPLICATION NO. 9074-Transfer

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February 24, 1948  
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S T A T E M E N T

By the Commission:

By Decision No. 8591, of date October 26, 1936, Fred Kniess was granted a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire for the transportation of:

farm products, including livestock, farm machinery, farm supplies, used household furniture, petroleum products and oil well equipment, into, out of, and between points within the following-described territory: from Wiladel, Colorado, thirty miles west, fifteen miles east, fifteen miles north, and fifteen miles south thereof, which service shall be upon call and demand, with no town to town movement, except the transportation of livestock and bulk farm products, which may be moved through towns in transit.

Pursuant to authority contained in Decision No. 13523, of date May 18, 1939, Fred Kniess transferred said operating rights (PUC No. 984) to Lee Bethel, who, pursuant to authority contained in Decision No. 17299, of date June 27, 1941, transferred said PUC No. 984 to Herman Hoyer and Thomas Brown, said decision, by Decision No. 17337, of date July 8, 1941, being amended to show Alvin Hoyer and Thomas Brown, doing business as "Wiladel Truck Line," as transferees therein.

Pursuant to authority contained in Decision No. 18209, of date January 22, 1942, said Alvin Hoyer and Thomas Brown, doing business as "Wiladel Truck Line," transferred said operating rights to Thomas Brown,

doing business as "Wiladel Truck Line," who, pursuant to authority contained in Decision No. 28452, of date June 18, 1947, transferred PUC No. 984 to Walter L. Rountree and Duane Rountree, Arickaree, Colorado.

By the instant application, Walter L. Rountree and Duane L. Rountree seek authority to transfer PUC No. 984 to Walter L. Rountree and Marion E. Brown, doing business as "Wiladel Truck Line," Arickaree, Colorado.

Inasmuch as the files of the Commission and the application herein show that said certificate is in good standing; that road tax has been paid; that ton-mile tax deposit be transferred to account of transferee; that there are no outstanding unpaid operating obligations against said certificate; that transferees, pecuniarily and otherwise, are able, qualified and willing to carry on the operation, and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said operating rights, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

### FINDINGS

#### THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to outstanding indebtedness, if any.

### ORDER

#### THE COMMISSION ORDERS:

That Walter L. Rountree and Duane L. Rountree, co-partners, doing business as "Wiladel Truck Line," Arickaree, Colorado, be, and they hereby are, authorized to transfer all their right, title, and interest in and to PUC No. 984 -- being the operating rights granted by Decision No. 8591 -- to Walter L. Rountree and Marion E. Brown, co-partners, doing business as "Wiladel Truck Line," Arickaree, Colorado, subject to payment of outstanding indebtedness secured by mortgage, or



otherwise, if any there be.

The tariff of rates, rules and regulations of transferors shall become and remain those of transferees until changed according to law and the rules and regulations of this Commission.

That ton-mile tax deposit be transferred to account of transferees.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Hinton

John R. Barry  
Commissioners

Dated at Denver, Colorado,  
this 24th day of February, 1948.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
EARL F. BUCKINGHAM, GLEN O. BUCKING- )  
HAM, HAROLD D. BUCKINGHAM, AND )  
OLIVER L. BUCKINGHAM, CO-PARTNERS, )  
DOING BUSINESS AS "BUCKINGHAM TRANS- )  
PORTATION COMPANY," OMAHA STREET AND )  
WEST BOULEVARD, RAPID CITY, SOUTH )  
DAKOTA, FOR AUTHORITY TO TRANSFER )  
INTERSTATE OPERATING RIGHTS TO GREAT )  
AMERICAN DISPATCH, INC., 1414 FOUR- )  
TEENTH STREET, DETROIT, MICHIGAN. )  
-----)

PUC NO. 546-I.

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February 24, 1948  
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S T A T E M E N T

By the Commission:

Heretofore, Earl F. Buckingham, Glen O. Buckingham, Harold D. Buckingham, and Oliver L. Buckingham, co-partners, doing business as "Buckingham Transportation Company," Rapid City, South Dakota, were authorized, subject to the provisions of the Federal Motor Carrier Act of 1935, to operate as a common carrier by motor vehicle for hire in interstate commerce, and PUC No. 546-I issued to them.

Said certificate-holders now seek authority to transfer said operating rights to Great American Dispatch, Inc., a Delaware Corporation, Detroit, Michigan.

The files and records of the Commission fail to disclose any reason why said request should not be granted.

F I N D I N G S

THE COMMISSION FINDS:

That said transfer should be authorized.

O R D E R

THE COMMISSION ORDERS:

That Earl F. Buckingham, Glen O. Buckingham, Harold D. Buckingham, and Oliver L. Buckingham, co-partners, doing business as "Buckingham Transportation Company," Rapid City, South Dakota, be, and they hereby are, authorized to transfer all their right, title, and interest in and to PUC No. 546-I to Great American Dispatch, Inc., a Delaware corporation, Detroit, Michigan, subject to the provisions of the Federal Motor Carrier Act of 1935, and subject to payment of outstanding indebtedness secured by mortgage, or otherwise, if any there be.

That ton-mile tax deposit be refunded to transferors.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Horton  
J. R. Barry  
Commissioners.

Dated at Denver, Colorado,  
this 24th day of February, 1948.

ea

original

(Decision No. 29994)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF  
KEITH BAUER AND JOHN ALVAREZ, CO-  
PARTNERS, DOING BUSINESS AS "BAUER  
& ALVAREZ," 506 NORTH SECOND AVE.,  
STERLING, COLORADO, FOR AUTHORITY  
TO TRANSFER PUC NO. 1474 TO KEITH  
BAUER, 419 NORTH SIXTH STREET,  
STERLING, COLORADO.

APPLICATION NO. 9079-Transfer.

February 24, 1948

Appearances: Francis L. Shallenberger, Esq.,  
Foote Building, Sterling,  
Colorado, for applicants.

S T A T E M E N T

By the Commission:

By Decision No. 18450, of date March 3, 1942, Marion A. Strohmeyer, Sterling, Colorado, was granted a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire for the transportation of:

fertilizer, dirt, sand, gravel, trash, and  
garbage, between points within a radius of  
one mile of, and including, the City of  
Sterling, Colorado.

said authority, by Decision No. 20529, of date March 8, 1943, being amended to read:

Transportation, on call and demand, of  
fertilizer, dirt, sand, gravel, trash, and  
garbage, between points within a radius of  
one mile of, and including, the City of  
Sterling, Colorado, and from and to points  
in said area, to and from points within a  
radius of twenty-five miles of Sterling,  
Colorado.

By Decision No. 25060, of date November 2, 1945, said operating rights (PUC No. 1474) were extended to include the right to transport,



on call and demand;

coal and building materials from Sterling, Colorado, to points and places within a twenty-five-mile radius of Sterling, Colorado, with occasional trips within a seventy-five mile radius of Sterling, and with the right to return surplus or excess building material delivered but not used, from place of delivery to lumber yard, the place of its origin.

Pursuant to authority contained in Decision No. 28907, of date August 26, 1947, Marlon A. Strohmeier transferred said operating rights to Keith Bauer and John Alvarez, co-partners, doing business as "Bauer & Alvarez," Sterling, Colorado, who, by the instant application, seek authority to transfer said PUC No. 1474 to Keith Bauer -- John Alvarez desiring to withdraw from said partnership.

Inasmuch as the files of the Commission and the verified application herein show that said certificate is in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to account of transferee; that the consideration for said transfer is the sum of Thirteen Hundred Dollars (\$1300.00); that transferee, pecuniarily and otherwise, is qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said certificate, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

#### FINDINGS

##### THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to outstanding indebtedness, if any.

#### ORDER

##### THE COMMISSION ORDERS:

That John Alvarez, Sterling, Colorado, be, and he hereby is, authorized to withdraw from the partnership of Keith Bauer and John Alvarez,

doing business as "Bauer & Alvarez," Sterling, Colorado, and that said Keith Bauer and John Alvarez, co-partners, doing business as "Bauer & Alvarez," be, and they hereby are, authorized to transfer all their right, title, and interest in and to PUC No. 1474 — being the operating rights acquired by them pursuant to Decision No. 28907 — to Keith Bauer, Sterling, Colorado, subject to payment of outstanding indebtedness secured by mortgage, or otherwise, if any there be.

That the tariff of rates, rules and regulations of the transferors shall become and remain those of the transferee until changed according to law and the rules and regulations of this Commission.

That ton-mile tax deposit be transferred to account of transferee.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Malcom Erickson*

*Ralph C. Hutton*

*John R. Barry*  
Commissioners.

Dated at Denver, Colorado,  
this 24th day of February, 1948.

ea

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APPLICATION NO. 9080-Transfer

February 24, 1948

S T A T E M E N T

By Decision No. 747, of date September 26, 1924, W. M. Fuller was granted a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire for the transportation of:

freight and express between the City and County  
of Denver and Fort Lupton, Colorado,

said operating rights being designated "PUC No. 23."

By Decision No. 3185, of date January 12, 1931, said operating rights were extended to include the right to transport:

freight and express between Denver and all points named in territory described as: beginning at a point on the Denver-Fort Lupton highway immediately north of Riverside Cemetery, thence to and across the Platte River, thence north generally parallel thereto to a point situated some mile and three-quarters west of Brighton, thence north along the highway paralleling and at a distance of about a mile of said river to a point about a mile and three-quarters west of the northern limits of Fort Lupton, thence east to a point about a mile and three-quarters east of said Town Limits of Fort Lupton, thence south on a line running approximately two miles east of the Fort Lupton-Brighton-Denver Highway, to and across Sand Creek, thence west into the City of Denver.

Pursuant to authority contained in Decision No. 3985, of date January 4, 1932, said operating rights were transferred from Jennie M. Fuller, Heir and Devisee of W. M. Fuller, Deceased, to Fuller Truck Line, Inc., which, by the instant application, seeks authority to transfer said PUC No. 23 to Cecil A. Foster, doing business as "Foster Truck Line," Denver, Colorado.

Inasmuch as the files of the Commission and the verified application herein show that said certificate is in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to account of transferee; that there are no outstanding unpaid operating obligations against said certificate; that transferee, pecuniarily and otherwise, is able and qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said certificate, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

#### F I N D I N G S

##### THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to outstanding indebtedness, if any.

#### O R D E R

##### THE COMMISSION ORDERS:

That Fuller Truck Line, Inc., a corporation, be, and it hereby is, authorized to transfer all its right, title, and interest in and to PUC No. 23 -- being the operating rights granted by Decision No. 747 and extended by Decision No. 3185 -- to Cecil A. Foster, doing business as "Foster Truck Line," Denver, Colorado, subject to payment of outstanding indebtedness secured by mortgage, or otherwise, if any there be.



That the tariff of rates, rules and regulations of the transferor shall become and remain those of the transferee until changed according to law and the rules and regulations of this Commission.

That ton-mile tax deposit be transferred to account of transferee.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Hatan

John R. Barry  
Commissioners.

Dated at Denver, Colorado,  
this 24th day of February, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
MARK A. YOCKEY, DOING BUSINESS AS )  
"YOCKEY BROS.," FORT COLLINS, COLO- )  
RADO, FOR AUTHORITY TO TRANSFER PUC )  
NO. 909 TO RALPH YOCKEY, DOING BUSI- )  
NESS AS "YOCKEY TRUCKING COMPANY," )  
FORT COLLINS, COLORADO. )  
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APPLICATION NO. 9075-Transfer

IN THE MATTER OF THE APPLICATION OF )  
MARK YOCKEY AND RALPH E. YOCKEY, CO- )  
PARTNERS, DOING BUSINESS AS "YOCKEY )  
BROS.," FORT COLLINS, COLORADO, FOR )  
AUTHORITY TO TRANSFER PUC NO. 793 )  
AND PUC NO. 793-I TO RALPH YOCKEY, )  
DOING BUSINESS AS "YOCKEY TRUCKING )  
COMPANY," FORT COLLINS, COLORADO. )  
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APPLICATION NO. 9076-Transfer

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February 24, 1948  
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Appearances: Truman A. Stockton, Jr., Esq.,  
Denver, Colorado, for appli-  
cants.

S T A T E M E N T

By the Commission:

By Decision No. 8881, of date November 16, 1936, amending  
Decision No. 7982, of date July 11, 1936, J. B. Tague was granted a  
certificate of public convenience and necessity to operate as a common  
carrier by motor vehicle for hire for the transportation of:

farm products, including livestock, farm  
supplies, including seed and feed, farm  
machinery and used household goods, not on  
schedule, and over irregular routes, from  
point to point within an area extending  
twelve miles north, east and south of Love-  
land, and to Estes Park on the west, and from  
and to points in said area, to and from points  
in the State of Colorado, all for customers  
residing in the described Loveland area, pro-  
vided, however, that applicant will make no  
back-haul of freight from Denver to Loveland,  
and shall not engage in any transportation

service of a competitive character between points along the line of scheduled common carriers now operating between, from, and to points in the above-described area,

said operating rights being designated "PUC No. 909."

Pursuant to authority contained in Decision No. 22453, of date July 12, 1944, said certificate-holder transferred said PUC No. 909 to Mark A. Yockey, doing business as "Yockey Brothers," Fort Collins, Colorado.

On November 6, 1935, by Decision No. 6794, P. E. Hanson was granted a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire for the transportation of:

livestock only from point to point within the territory surrounding Fort Collins, described as follows: Extending north to the Colorado-Wyoming State Line, east to the Larimer County Line, south a distance of five miles, and west a distance of twenty-five miles; livestock in less-carload lots from the above-described area to markets in Denver, and feeder cattle from Denver to farms in said area,

said authority, by Decision No. 7922, of date July 1, 1936, being extended to include the right to transport:

all types of farm products, farm supplies, and equipment from town to farm and farm to town between points within the following-described territory: From Fort Collins north to the Wyoming State Line, thence east to the east Larimer County Line, thence south five miles, thence west twenty-five miles.

By Decision No. 11072, of date December 6, 1937, said operating rights (PUC No. 793) were extended further to include the right to transport:

all types of farm products, farm supplies and equipment, from town to farm and farm to town between points within, into, and out of, the following-described territory: Extending north from Fort Collins to the Colorado-Wyoming State Line, east of Fort Collins to the east Larimer County Line, south of Fort Collins a distance of five miles, and west of Fort Collins a distance of twenty-five miles.

Pursuant to authority contained in Decision No. 13409, of date April 27, 1939, P. E. Hanson transferred PUC No. 793 to Mark Yockey and

Ralph E. Yockey, co-partners, doing business as "Yockey Brothers," Fort Collins, Colorado, who, pursuant to authority contained in Decision No. 28264, of date May 26, 1947, were authorized to extend operations thereunder:

For the transportation of livestock from the Fort Collins area described in Decision No. 6794 to Denver, free of the restriction limiting such service to "less-carload lots," and the transportation of livestock between points and places in Jackson County, on the one hand, and, on the other, Denver, Colorado, in intrastate and interstate commerce.

By Application No. 9075, Mark A. Yockey, doing business as "Yockey Brothers," seeks authority to transfer PUC No. 909 to Ralph Yockey, doing business as "Yockey Trucking Company," Fort Collins, Colorado, and by Application No. 9076, Mark Yockey and Ralph E. Yockey, co-partners, doing business as "Yockey Brothers," seek authority to transfer PUC No. 793 and PUC No. 793-I to Ralph Yockey, doing business as "Yockey Trucking Company," Fort Collins, Colorado, said Mark Yockey desiring to withdraw from said partnership operation under PUC Nos. 793 and 793-I.

Inasmuch as the files of the Commission and the applications herein show that said certificates are in good standing; that road tax has been paid; that ton-mile tax deposits are to be transferred to account of transferee; that there are no outstanding unpaid operating obligations against said certificates; that transferee, pecuniarily and otherwise, is able and qualified to carry on the operations, and it does not appear that any useful purpose would be served by setting said matters for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said operating rights, the Commission determined to hear, and has heard, said matters, forthwith, without formal notice, upon the records and files herein.

#### FINDINGS

##### THE COMMISSION FINDS:

That the proposed transfers are compatible with the public



interest, and should be authorized, subject to outstanding indebtedness, if any.

### ORDER

#### THE COMMISSION ORDERS:

That Mark A. Yockey, doing business as "Yockey Brothers," Fort Collins, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 909 -- being the operating rights granted by Decision No. 7982, as amended by Decision No. 8881 -- to Ralph Yockey, doing business as "Yockey Trucking Company," Fort Collins, Colorado, subject to payment of outstanding indebtedness secured by mortgage, or otherwise, if any there be.

The tariff of rates, rules and regulations of transferor shall become and remain those of transferee until changed according to law and the rules and regulations of this Commission.

That ton-mile tax deposit be transferred to account of transferee.

That Mark Yockey be, and he hereby is, authorized to withdraw from the partnership of Mark Yockey and Ralph E. Yockey, co-partners, doing business as "Yockey Brothers," Fort Collins, Colorado, and said partnership of Mark Yockey and Ralph E. Yockey, co-partners doing business as "Yockey Brothers," be, and they hereby are, authorized to transfer all their right, title, and interest in and to PUC Nos. 793 and 793-I -- being the operating rights granted by Decisions Nos. 6794, 7922, 11072, and 28264 -- to Ralph Yockey, doing business as "Yockey Trucking Company," Fort Collins, Colorado, subject to payment of outstanding indebtedness secured by mortgage, or otherwise, if any there be.

The tariff of rates, rules and regulations of transferors shall become and remain those of transferee until changed according to law and the rules and regulations of this Commission.

Transfer of interstate operating rights is subject to the provisions of the Federal Motor Carrier Act of 1935.

That ton-mile tax deposit of transferors be transferred to account of transferee.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Malcom Erickson*

*Joseph C. Nelson*  
*John R. Barry*  
Commissioners

Dated at Denver, Colorado,  
this 24th day of February, 1948.

mw

Original

(Decision No. 29997)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
LOS ANGELES-ALBUQUERQUE EXPRESS, INC. )  
2950 BLAKE STREET, DENVER, COLORADO, )  
FOR AUTHORITY TO TRANSFER INTERSTATE )  
OPERATING RIGHTS TO ILLINOIS-COLORADO )  
EXPRESS, INC., 2950 BLAKE STREET, )  
DENVER, COLORADO, AND FOR CONSOLIDA- )  
TION OF SAID OPERATING RIGHTS (PUC )  
NO. 695-I), WITH PUC NO. 501-I; ALSO )  
TO CHANGE THE NAME OF ILLINOIS- )  
COLORADO EXPRESS, INC., TO "ILLINOIS- )  
CALIFORNIA EXPRESS, INC.," 2950 )  
BLAKE STREET, DENVER, COLORADO. )  
-----

PUC NO. 695-I

-----  
February 24, 1948  
-----

S T A T E M E N T

By the Commission:

Heretofore, Los Angeles-Albuquerque Express, Inc., Denver, Colorado, was authorized, subject to the provisions of the Federal Motor Carrier Act of 1935, to operate as a common carrier by motor vehicle for hire in interstate commerce, and PUC No. 695-I issued to it.

Said certificate-holder now seeks authority to transfer said operating rights to Illinois-Colorado Express, Inc., a Nebraska corporation, and transferor requests that in the event said transfer is authorized, said operating rights be consolidated with PUC No. 501-I, being the number under which said Illinois-Colorado Express, Inc. is presently operating.

On or about the 6th day of September, 1947, the name of Illinois-Colorado Express, Inc., was changed to "Illinois-California Express, Inc.," by an amendment filed with the Secretary of State of the State of Nebraska, certified copy of said amendment being attached to the application herein. On December 31, 1947, in Docket No. MC-F-3682, the Interstate Commerce Commission authorized Los Angeles-Albuquerque Express, Inc., to merge its rights and properties with

6  
Illinois-California Express, Inc., Illinois-California Express, Inc., a Nebraska corporation, being designated as the surviving corporation of said merger. Transferee herein requests that said change of name be made on this Commission's records.

The records and files of the Commission fail to disclose any reason why said requests should not be granted.

### FINDINGS

#### THE COMMISSION FINDS:

That transfer requested should be authorized, said operating rights (PUC No. 695-I) to be consolidated with PUC No. 501-I; that the records and files of the Commission be changed to show the owner of said PUC No. 501-I to be "Illinois-California Express, Inc.," rather than "Illinois-Colorado Express, Inc."

### ORDER

#### THE COMMISSION ORDERS:

That Los Angeles-Albuquerque Express, Inc., Denver, Colorado, be, and it hereby is, authorized to transfer all its right, title, and interest in and to PUC No. 695-I to Illinois-Colorado Express, Inc., Denver, Colorado, said operating rights to be consolidated with an operated under PUC No. 501-I, said transfer to be subject to the provisions of the Federal Motor Carrier Act of 1935, and subject to payment of outstanding indebtedness secured by mortgage, or otherwise, if any there be.

That road-tax deposit of transferor be refunded to it.

That inasmuch as the name of the corporation doing business as "Illinois-Colorado Express, Inc." has been changed to "Illinois-California Express, Inc.," a Nebraska corporation, the Secretary of the Commission is hereby instructed to change the records of the Commission to show the owner of said PUC No. 501-I to be "Illinois-California Express, Inc.," a Nebraska corporation, rather than "Illinois-Colorado Express, Inc."



This order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Norton

John R. Barry  
Commissioners

Dated at Denver, Colorado,  
this 24th day of February, 1948.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )	
ADRIANO COCA, BOX 164, WESTON, )	CASE NO. 40745-INS.
COLORADO. )	(Permit No. C-13612)
-----) )	

-----  
February 24, 1948  
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S T A T E M E N T

By the Commission:

On January 19, 1948, in Case No. 40745-Ins., the Commission entered an order revoking Permit No. C-13612, for failure to keep on file effective insurance.

Insurance was in effect, however, but, through neglect of the agent, was not filed in time to stop the revocation of the permit. Proper filing has now been made and the insurance is in order without lapse.

After careful consideration of the record and the files, the Commission is of the opinion, and finds, that our Decision No. 40745-Ins., should be cancelled and set aside and said Permit No. C-13612 restored to its former status.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 40745-Ins., should be, and it hereby is, cancelled and set aside, and said Permit No. C-13612 restored to its former status as of January 19, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Malcom Erickson*

*James C. Norton*

*John R. Barry*

Commissioners.

Dated at Denver, Colorado,  
this 24th day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

REGARDING PROPOSED CANCELLATION )  
PICK-UP AND DELIVERY SERVICE )  
RAILWAY EXPRESS AGENCY, INC. AT )  
OURAY, COLORADO. )  
-----

Investigation and Inspection Docket  
Number 282

-----  
February 21, 1948  
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S T A T E M E N T

By the Commission:

There has been filed with the Public Utilities Commission of the State of Colorado by the Railway Express Agency, Inc. by C. B. Williams, its freight traffic manager, a tariff containing schedules containing new individual rates and charges to become effective on the 22d day of February, 1948, designated as follows:

RAILWAY EXPRESS AGENCY, INC.

Supplement No. 172 to Colorado P.U.C. No. 13

Supplement to Joint Directory of Express Stations

The said schedule makes certain changes wherein pick-up and delivery service in the City of Ouray, Colorado is proposed to be cancelled. The Commission is in receipt of a protest in regard to the proposed cancellation.

F I N D I N G S

The Commission finds that the proposed cancellation should be suspended.

O R D E R

IT IS ORDERED, That the Commission, upon complaint without formal hearing, enter upon a hearing concerning the lawfulness of the charges in the said schedules contained in said tariff; that the operation of the said schedules contained in said tariff be suspended and that the use of the charges therein stated be deferred 120 days or until the 20th day of June, 1948 unless otherwise ordered by the Commission and no change shall be made in such rules and practices during said period of suspension; that the charges, regulations and practices thereby sought to be altered shall not be changed by any subsequent tariff or schedule until this investigation and suspension

period has been disposed of or until the period of suspension or any extension thereof has expired; that a copy of this order be filed with said schedules in the office of the Commission and that copies hereof be forthwith served upon the Railway Express Agency, Inc. and Mr. John J. McMahan, mayor of the City of Ouray, Colorado; that this proceeding be and the same is hereby assigned for hearing on the 23d day of March, 1948 at 9:30 A.M. standard time, County Court House, Ouray, Colorado.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Nelson

John R. Barry  
Commissioners

Dated at Denver, Colorado  
this 21st day of February, 1948.

HN



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE PROPOSED RATE SCHEDULE, AS IT	)	
AFFECTS WATER USERS OUTSIDE COR-	)	
PORATE BOUNDARIES OF THE CITY OF	)	INVESTIGATION AND SUSPENSION
LONGMONT, COLORADO.	)	DOCKET NO. 275.
-----	)	

-----  
February 24, 1948  
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S T A T E M E N T

By the Commission:

IT APPEARING, That on June 2, 1947, the City of Longmont, by P. K. Spangler, City Clerk, filed a proposed rate schedule that would become effective July 1, 1947, as it affects the water users outside the corporate boundaries of the City of Longmont, said proposed schedule being an increase of thirty-three and one-third (33 1/3) per cent to those customers using an average amount of water;

IT FURTHER APPEARING, That by Decision No. 28528, of June 25, 1947, the Commission suspended the effective date of the proposed rate schedule from July 1, 1947, or until October 29, 1947, unless otherwise ordered, and set the matter for hearing in the City Hall, at Longmont, Colorado, on Tuesday, the 29th day of July 1947, at 10:00 o'clock A. M.;

IT FURTHER APPEARING, That pursuant to said order, hearing was duly held and that a decision in the matter could not be entered before October 29, the expiration date of the suspension order, and, therefore, by Decision No. 29200, of October 27, 1947, the effective date of the proposed rate schedule was further suspended for one hundred and twenty (120) days from October 29, 1947, or until February 26, 1948, unless otherwise ordered;

IT FURTHER APPEARING, That a decision in the matter will not be entered before February 26, 1948.

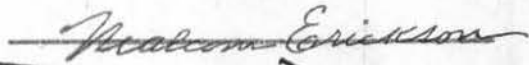
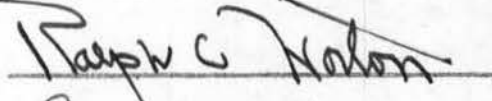
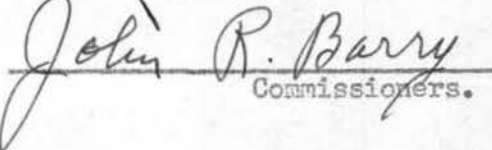
ORDER

THE COMMISSION ORDERS:

That the effective date of the proposed rate schedule be, and it hereby is, further suspended for one hundred and twenty (120) days from February 26, 1948, or until June 25, 1948, unless otherwise ordered.

That a copy of this order be filed with the aforesaid proposed rate schedule and complaints filed therewith, and that copies hereof be served on P. K. Spangler, City Clerk of the City of Longmont, Colorado; J. S. Schey, City Attorney, Longmont, Colorado; J. M. Hovlid, Box 717, Longmont, Colorado; H. E. Brewbaker, Longmont, Colorado, and Danzell Hartshorn, Longmont, Colorado, they being the appearances at the aforesaid hearing.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 24th day of February, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
EVERETT J. MILLER, OF FLAGLER, COLO- )  
RADO, FOR A CERTIFICATE OF PUBLIC )  
CONVENIENCE AND NECESSITY. )

APPLICATION NO. 8971.

February 26, 1948

Appearances: Truman A. Stockton, Jr., and  
A. E. Small, Jr., Esqs., Denver,  
Colorado, for applicant;  
Jones and Stauffer, Esqs.,  
Denver, Colorado, for  
Walter Rountree, Dee Wann,  
Harry Atteberry, Van Goodwin  
and Sons, Denver-Limon-  
Burlington Transportation  
Company, H. C. Rorabaugh,  
and F. E. Anderson.

S T A T E M E N T

By the Commission:

Everett J. Miller, the applicant herein, filed his application  
for a certificate of public convenience and necessity authorizing the  
transportation of:

1. General commodities from Denver to Thurman  
Store, Thurman, Colorado;
2. Grain from points and places within a ten-  
mile radius of Arickaree, including Arickaree,  
to rail loading points in Colorado;
3. Feed, farm machinery, and implements and parts  
thereof from Denver, Sterling, Brush, and  
Yuma to said area;
4. Cream and eggs from said area to Denver;
5. Emigrant movables from said area to points  
and places in Colorado;

subject to the restriction that said certificate shall be non-transfer-  
able, and limited to two straight trucks and a ten-foot pup, for the  
transportation of cream, eggs, and groceries.

The matter was set for hearing, and heard, at the Court House in Burlington, Colorado, on January 20, 1948, and there taken under advisement.

At the hearing, the evidence disclosed that applicant has a net worth of approximately \$18,000.00; that he has resided in Flagler, Colorado, since 1922, and is presently operating the Arickaree Store in Arickaree, Colorado. It also appears that he owns and operates two 1½-ton trucks, equipped with stock and grain racks. Applicant states he is presently operating under a lease arrangement under PUC No. 847, owned by one Theo. H. Armknecht of St. Francis, Kansas, for the transportation of general commodities in the Arickaree area, and also has an arrangement with Fred Rein, Jr., doing business as "Airline Express," under PUC No. 1324, for the handling of other products. As a result of his lease arrangement of the two above-named authorities, he has been performing a transportation service in the Arickaree area similar to that he is now asking for in his application.

Applicant's reason for obtaining a certificate, he states, is that it would simplify his bookkeeping and would eliminate a lot of inconvenience, bother, and trouble, and that if he does not receive his certificate he expects to discontinue his service after the expiration of his lease agreements.

Several witnesses appeared and testified concerning the service applicant is now giving in the Arickaree area under his lease arrangements. These witnesses, without exception, state that their present service is satisfactory, but they would like to retain applicant's service in the future.

Witness Dolipkf, the owner of the Thurman Store, Mr. Arthur, and Mr. Travis, stated that applicant has been giving them the best service they have received in years, and they desire his service in the future; that, prior to the time applicant started serving them, they had experienced considerable difficulty in obtaining transportation service.

Eight common carriers appeared protesting the grain, farm machinery, and emigrant movables service, stating that there is now ade-

quate service in the Arickaree area to take care of these commodities. Applicant's witnesses also state that there is presently an adequate service in their area. What bothers these shipper-witnesses is that the applicant in the instant application states that at the expiration of his present lease arrangements he will cease hauling, and they are perturbed as to what service they will receive in the future.

There is no question, and it is apparent from the evidence, that the applicant is an excellent operator, and, under his present authority, is giving an adequate and satisfactory service. Naturally, the shipper-witnesses appearing at this hearing wish this service continued, and are appearing before this Commission stating that they particularly desire applicant's service as it is satisfactory and fits their requirements. They do not say they need additional common carrier service, but would like the service of applicant.

The territory involved in the application is sparsely settled, and many carriers are authorized to serve for the transportation of grain, farm machinery, and emigrant movables. In fact, we have eight protestants appearing protesting the granting of this authority. The Commission has considered the feasibility of eliminating some of the authority asked for in the application for a certificate, but, if we do this and confine applicant to that part of his application over which there was very little, if any, protest, it would appear to us from the facts before us that the operation would not be economically feasible, and, if said operation cannot be made to pay, surely it is not in the public interest.

In Re H. P. Lahs, Decision No. 6846, dated November 26, 1935, the Commission said:

"The Commission on a number of occasions has held that an applicant, in order to secure a certificate of public convenience and necessity, must affirmatively show that the public convenience and necessity, as distinguished from his personal desires, requires his proposed operation, and that before a certificate of public convenience and necessity will issue for an operation which will virtually parallel existing common carrier service, a clear and affirmative showing must be made that the existing transportation facilities are inadequate or unsatisfactory, and that there is no prospect of such service being made better under the orders of the Commission."

It might be said that the present service may be unsatisfactory, due to the uncertainty as to what service will be given after the expiration of the lease agreements. The Commission has no "crystal ball" for telling the future, but we could assume that the presently authorized carriers will perform their obligations and render to this area an adequate service, as they are now doing. After all, presently, lessee's service is Armknecht's service-- not his. He furnishes it in Armknecht's place, and by virtue of Armknecht's authority. The Commission can see no need to grant a certificate at this time. If we do, we will take business from the carriers now authorized, making it more difficult to operate at a profit. Applicant has attempted to show a need for a certificate at a future date, assuming that, at the expiration of this lease agreement, the presently authorized carriers cannot, and will not, give an adequate service. Assuming applicant is right, and correct in his assumption, we then say his application is premature.

We have attempted to consider this application from every angle, and the evidence presented at the hearing, in our judgment, disclosed that certain shipper-witnesses felt that applicant's service would nearer fit their individual needs, and that the service rendered during the war years was not adequate to take care of their particular business. Perhaps it could be said that the evidence possibly would justify the granting of a private carrier permit. It is, of course, obvious that the Commission cannot grant common carrier authority upon a showing that private carrier authority is needed.

In arriving at the above conclusions, we were materially assisted by the able briefs filed by the attorneys of record in the instant application.

After careful consideration of the record, the Commission is of the opinion, and finds, that applicant has failed to show that the public convenience and necessity require the granting to him of a certificate. The Commission further finds that said application should be denied, for the reasons heretofore stated.

O R D E R

THE COMMISSION ORDERS:

That the instant application be, and the same is hereby,  
denied.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson

Harvey C. Nelson

John R. Barry  
Commissioners

DATED at Denver, Colorado,  
this 26th day of February, 1948.

EHC

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JUAN F. GONZALES, OF BOX 242, )  
LA JARA, COLORADO, FOR A CLASS "B" ) APPLICATION NO. 8988-PP.  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
-----)

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February 26, 1948  
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Appearances: Judge Fidel Chavez,  
Antonito, Colorado,  
for applicant:  
Conour and Conour, Esqs.,  
Del Norte, Colorado, for  
Vance Transfer, J. D. Haney,  
Fred T. Gibson, and  
C. H. Phillips.

S T A T E M E N T

By the Commission:

On August 28, 1947, the applicant herein filed his application for a Class "B" permit to operate as a private carrier by motor vehicle for hire for the transportation of freight, farm produce, and express between points within a 15-mile radius of La Jara, Colorado.

The matter was set for hearing, and heard, January 23, 1948, at the Court House at Alamosa, Colorado, and there taken under advisement.

At the hearing, the evidence disclosed that applicant is the owner of a 1946 Dodge 1½-ton truck, and is qualified, financially and otherwise, to carry on his proposed operation.

Several witnesses appeared on behalf of the applicant, being H. E. Ryker, a farmer residing southwest of Alamosa, and John Schroeder, residing in the same general area. Both Ryker and Schroeder testified they would use applicant's service, and that they needed his service, and for several months during the year there was not adequate common carrier service to take care of their needs.



Tony Marquez, manager of the La Jara Produce Company, also testified that his company needed, and would use, applicant's service.

Lute Vance, one of the protestants, testified that he operated in the area and for six months in the year his equipment was idle; that in his judgment there were too many unlawful carriers operating in his territory, and if too many private carrier permits are granted it will force him to curtail his operation.

The transportation problem in this area is one that has given the Commission a great deal of trouble. The crops raised are potatoes, garden peas, lettuce, beets, etc. These crops are peculiar, inasmuch as when the day comes for them to move, they must go, and a delay of 24 to 48 hours oftentimes means the crops become not marketable and the farmers stand to sustain a heavy loss.

It was suggested at the hearing that it might be well to grant private carrier permits to take care of this situation, starting July 1st of each year and ending December 1st. The Commission is giving this matter serious consideration and it may be the answer to our problem. In the instant matter, we feel the situation is not quite the same as in other application. Applicant comes before the Commission asking for private carrier authority. In addition, he brings in customer witnesses who, in substance, testify that the present service is not adequate for their needs, and it does not appear to the Commission, from the record in the instant matter, that the granting of the application will substantially impair the service of common carriers now authorized to serve the area.

After careful consideration of the record, the Commission is of the opinion, and finds, that the application, as hereinafter limited, should be granted.

#### O R D E R

#### THE COMMISSION ORDERS:

That Juan F. Gonzales, of La Jara, Colorado, be, and he hereby is,

authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of farm produce (excluding livestock), milk and cream between points within a 15-mile radius of La Jara, Colorado.

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

That the right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Nolan

John R. Barry  
Commissioners.

Dated at Denver, Colorado,  
this 26th day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
WARD V. COOPER, SAN ACACIO, COLO- )  
RADO, FOR A CLASS "B" PERMIT TO ) APPLICATION NO. 8976-PP.  
OPERATE AS A PRIVATE CARRIER BY )  
MOTOR VEHICLE FOR HIRE. )  
-----)

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February 26, 1948  
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Appearances: Ward V. Cooper, San Acacio,  
Colorado, pro se;  
Conour and Conour, Esqs.,  
Del Norte, Colorado, for  
Lute Vance, J. D. Haney,  
C. H. Phillips, and  
Fred Gibson;  
T. A. White, Esq., and  
A. J. Tait, Denver, Colo-  
rado, for Rio Grande  
Motor Way.

S T A T E M E N T

By the Commission:

On December 12, 1947, the applicant herein filed his appli-  
cation for a Class "B" permit to operate as a private carrier by motor  
vehicle for hire for the transportation of potatoes between points within  
a 10-mile radius of Romeo, Colorado to Mesita, Colorado (temporary haul  
for a period of 90 days from December 11, 1947).

The matter was set for hearing, and heard, January 23, 1948,  
at the Court House at Alamosa, Colorado, and there taken under advisement.

At the hearing, the evidence disclosed that applicant is the  
owner of a 1947 Dodge 1½-ton truck, and has a net worth of approximately  
\$3,000.00; that applicant also conducts a farming operation and during  
the slack season would like to haul farm produce for hire.

Applicant failed to produce shipper-witnesses to testify as to  
their needs for his proposed service. On the other hand, Vance and other  
common carriers vigorously protested the granting of the proposed authority,  
maintaining that the period applicant proposes to operate would be during  
their slack season; that their service is adequate and the efficiency thereof  
would be impaired by the granting of authority sought.

Rule 5 of the Rules and Regulations Governing Private Carriers

For Hire by Motor Vehicle provides:

"No application for authority to operate as a private carrier by motor vehicle in intrastate commerce or for authority to extend or enlarge an existing permit will be granted as a matter of course, nor will any such application be granted if the Commission shall be of the opinion, after hearing, that the proposed operation will impair the efficient public service of any authorized motor vehicle common carrier or carriers then adequately serving the same territory over the same general highway route or routes."

Under the showing made at the hearing, we cannot say that the granting of the proposed authority would not impair the efficiency of the service of common carriers now authorized to serve the area.

After careful consideration of the record, and the evidence submitted at the hearing, the Commission is of the opinion, and finds, that the instant application should be denied.

O R D E R

THE COMMISSION ORDERS:

That the instant application be, and the same is hereby, denied.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson  
Ralph C. Naton  
John R. Barry  
Commissioners.

Dated at Denver, Colorado,  
this 26th day of February, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
KENNETH V. WRIGHT, OF CENTER, COLO- )  
RADO, FOR A CERTIFICATE OF PUBLIC ) APPLICATION NO. 8984.  
CONVENIENCE AND NECESSITY. )  
----- )

-----  
February 26, 1948  
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Appearances: Conour and Conour, Esqs.,  
Del Norte, Colorado, for  
applicant;  
M. M. Marshall, Esq.,  
Alamosa, Colorado, for  
McCormick Brothers.

S T A T E M E N T

By the Commission:

On December 19, 1947, Kenneth V. Wright, of Center, Colorado, the applicant herein, filed his application for a certificate of public convenience and necessity to operate a **freight service** for the transportation of farm produce, and livestock, over irregular routes, on call and demand, within the area and between the points as follows:

(a) For the transportation of farm produce of the varieties commonly produced in said area, between points within an area as follows:

15 miles north, 8 miles east, 10 miles south,  
and 5 miles west of Center, Colorado.

(b) For the transportation of livestock between points in said area.

(c) And for the transportation of livestock between points in said area and the Alamosa auction ring.

The above matter was set for hearing, and heard, at the Court House in Alamosa, Colorado, on January 23, 1948, and there taken under advisement.

At the hearing, applicant asked to amend his application by striking therefrom "the transportation of livestock between points in said area and the Alamosa auction ring." There being no objection, the amendment was permitted.

The applicant, testifying in his own behalf, stated he had a net worth of \$33,000.00, and now has available for his proposed operation, one 1942, 1 $\frac{1}{2}$ -ton Chevrolet truck, and one 1936, 1 $\frac{1}{2}$ -ton Dodge truck, and is ready, willing and able to place in service such additional equipment as the public convenience and necessity may in the future, from time to time, require; that if certificate is granted, applicant proposes to publish, charge and maintain rates, rules and regulations for the transportation of said commodities, as the Commission now, or hereafter, may prescribe.

The evidence further discloses that there is presently only one common carrier, viz.: McCormick Brothers, engaged in serving the general public in the vicinity of Center in purely local service. Applicant states that he has made a thorough survey of the Center area and finds there is a widespread demand among farmers and produce dealers, including farm co-operatives, for the transportation of potatoes, hay, grain, and other farm produce from fields to cellars, sheds and shipping points within said area. He finds there is an occasional demand for movement of livestock between ranches and the town of Center; that the major portion, in fact, virtually all of the motor carrier transportation service that is available in said area, is furnished by several small private carriers whose service is confined to customers only, and not dedicated to the public use.

Several shipper-witnesses appeared and testified that there was only one common carrier located in the Center area for the handling of farm produce; that he operated one truck during the past season, and as the farm produce haul is seasonal, present common carrier service is inadequate to take care of the shipping needs. The shipper-witnesses appearing, all stated that applicant was financially able and well qualified by experience to give a much needed service in their community.

Mr. McCormick, of McCormick Brothers, one of the owners of certificate of public convenience and necessity No. 1838, stated they were serving the Center area under their certificate; that they had only operated a few months since the issuance of their certificate and were presently operating only one truck; that they were, however, expecting delivery of another truck within the next few days which they plan on putting into service, and that they plan to add further trucks during the harvest season.

The Center area, or the area sought in the above application, produces several thousand railroad cars of produce annually, and the common carrier now serving cannot adequately take care of the reasonable demands for transportation. This farm produce, largely, is presently handled by contract carriers, but this service has not been able to take care of the transportation needs.

After careful consideration of the record, the Commission is of the opinion, and finds, that the public convenience and necessity require the granting of the instant application, and that certificate of public convenience and necessity should issue therefor.

#### O R D E R

##### THE COMMISSION ORDERS:

That the public convenience and necessity require the operation of a motor vehicle freight service by applicant, Kenneth V. Wright, of Center, Colorado, to be operated over irregular routes and upon call and demand, as follows:

1. For the transportation of livestock and farm products of the varieties commonly produced in said area, between points within an area as follows:

15 miles north, 8 miles east, 10 miles south, and  
5 miles west of Center, Colorado;

and this order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

That applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

That applicant shall operate his carrier system in accordance with the order of the Commission except when prevented by Act of God, the public enemy or extreme conditions.

That this order is subject to compliance by applicant with all present and future laws and rules and regulations of the Commission.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Norton

John R. Barry  
Commissioners.

Dated at Denver, Colorado,  
this 26th day of February, 1948.

ea



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
R. A. KINNISON, MORRISON D. KINNI- )  
SON, AND JAMES R. KINNISON, CO- )  
PARTNERS, DOING BUSINESS AS "R. A. ) APPLICATION NO. 8817-PP.  
KINNISON AND SONS," DE NOVA, COLO- )  
RADO, FOR A CLASS "A" PERMIT TO )  
OPERATE AS PRIVATE CARRIERS BY )  
MOTOR VEHICLE FOR HIRE. )  
-----)

-----  
February 26, 1948  
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Appearances: R. A. Kinnison, De Nova,  
Colorado, pro se;  
Morrison D. Kinnison,  
De Nova, Colorado,  
pro se;  
James R. Kinnison, De Nova,  
Colorado, pro se;  
Jones and Stauffer, Esqs.,  
Denver, Colorado, for  
Otis Truck Line, Carroll  
Ross, E. F. Anderson,  
Harry Atteberry, H. C.  
Rorabaugh, Walter Roun-  
tree, Wiladahl Truck Line.

S T A T E M E N T

By the Commission:

On December 1, 1947, the Commission issued its Decision No. 29446, wherein R. A. Kinnison, Morrison D. Kinnison, and James R. Kinnison, co-partners, doing business as "R. A. Kinnison and Sons," of De Nova, Colorado, filed their application for a Class "A" permit to operate as private carriers by motor vehicle for hire. Said application was denied by the Commission.

On December 4, 1947, the applicants forwarded a letter to the Commission protesting our decision. This was followed by a letter on December 16, 1947.

The Commission has again reviewed the evidence in the instant matter, and has carefully read the letter which the Commission desires to treat as a Motion for Rehearing, and after a review of the evidence and the Motion for Rehearing, feel that a rehearing is in order.

-1-

FINDINGS

THE COMMISSION FINDS:

That said rehearing should be granted for the reason that said applicants were laboring under a false impression as to what showing was necessary to make a prima facie case before the Commission.

ORDER

THE COMMISSION ORDERS:

That the Petition for Rehearing is granted, and that said application should be, and hereby is, set for further hearing at Fort Morgan, Colorado, on March 19, 1948, at 10:00 o'clock A. M.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcom Erickson

Joseph C. Norton

John R. Barry  
Commissioners.

Dated at Denver, Colorado,  
this 26th day of February, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
JANE PERRY CLARK, DOING BUSINESS AS )	
"DENVER-FORT COLLINS TRUCK LINE," )	
3220 WALNUT STREET, DENVER, COLO- )	<u>APPLICATION NO. 9093-PP-MORTGAGE</u>
RADO, FOR AUTHORITY TO MORTGAGE )	
PRIVATE CARRIER PERMIT NO. A-783 )	
TO ARTHUR DUSSART, DENVER, COLORADO. )	
-----)	

-----  
February 21, 1948  
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Appearances: E. B. Evans, Esq., Denver,  
Colorado, for applicants.

S T A T E M E N T

By the Commission:

Jane Perry Clark, a private carrier who operates pursuant to authority contained in Private Carrier Permit No. A-783, herein seeks authority to execute and deliver a chattel mortgage upon her Private Carrier Permit No. A-783, and one 1945 Federal Tractor, Model Number 2912, Motor Number 160381, to secure payment of the sum of Two Thousand Dollars (\$2,000.00) to Arthur Dussart, said note to bear date February 21, 1948, and to bear interest at the rate of six percent per annum, principal and interest upon unpaid balances to be paid in monthly installments of Eighty-three Dollars Thirty-three Cents (\$83.33) each, commencing on the 21st day of September, 1948, and continuing with like installments of principal and interest on the 21st day of each and every month thereafter, until fully paid.

The proceeds of loan are to be applied upon payment of ton-mile tax due the Commission, certain unpaid C. O. D. obligations incurred in her operations under said private carrier permit, and \$100.00 fee to her counsel, E. B. Evans, who has been representing her in certain litigation now pending in the Court, to enforce payment of said C. O. D. obligations, and a criminal case pending against her in the District Court of the City and County of Denver, State of Colorado, for alleged conversion of said funds.

She represents that except for current maintenance, repair, gasoline bills, loss and damage claims and a few other current accounts, this sum will enable her to satisfy outstanding obligations and continue her operations as a private carrier; that said operations have been profitable, and that she is convinced that she will be able to satisfy all past obligations, to pay the note to satisfy the mortgage beforesaid, and meet her current obligations out of earnings of the truck line, if she is authorized to borrow the money aforesaid.

#### F I N D I N G S

##### THE COMMISSION FINDS:

Being now sufficiently informed in the premises, that the proposed mortgage is not inconsistent with the public interest, and should be authorized.

#### O R D E R

##### THE COMMISSION ORDERS:

That Jane Perry Clark, doing business as "Denver-Fort Collins Truck Line," Denver, Colorado, be, and she hereby is, authorized to borrow the sum of Two Thousand Dollars (\$2,000.00) from Arthur Dussart, upon the terms set forth in the Statement preceding, and to make, execute, and deliver promissory note and chattel mortgage securing payment of the same, as requested.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Malcolm Erickson*

*Ralph C. Hatten*

*John R. Barry*  
Commissioners.

Dated at Denver, Colorado,  
this 21st day of February, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
COLORADO CENTRAL POWER COMPANY,  
GOLDEN, COLORADO, A CORPORATION,  
FOR AUTHORITY TO ISSUE SIX HUNDRED  
THOUSAND DOLLARS (\$600,000.00)  
PRINCIPAL AMOUNT OF FIRST MORTGAGE  
3-3/8% BONDS, SERIES C, MATURING  
AUGUST 1, 1976.

APPLICATION NO. 9050

February 26, 1948

Appearances: Worth Allen, Esq., Denver,  
Colorado, for applicant;  
Joseph W. Hawley, Esq., Denver,  
Colorado,  
W. George Denny, Jr., Denver,  
Colorado, and  
C. L. Flower, Denver, Colorado,  
of The Public Utilities  
Commission of the State of  
Colorado, for the Commission.

S T A T E M E N T

By the Commission:

By its application filed herein, Colorado Central Power Company, a Delaware corporation, (hereinafter called "Company"), which has been authorized to do business in the State of Colorado, seeks an Order from the Commission, pursuant to Sub-section (c) of Section 3, of Chapter 137, 1935 Colorado Statutes Annotated, authorizing it to issue Six Hundred Thousand Dollars (\$600,000.00) principal amount of First Mortgage 3-3/8% Bonds, Series C, under, and to be secured by, Indenture of Mortgage to Guaranty Trust Company of New York, as Trustee, dated as of May 1, 1939, as supplemented by four supplemental indentures dated respectively October 1, 1941, July 1, 1946, August 1, 1946, and February 1, 1948; said indenture, and the first three supplemental indentures heretofore having been filed with the Commission in Application No. 8535, in the matter of the



application of Colorado Central Power Company to issue Two Hundred Thousand Dollars (\$200,000.00) principal amount First Mortgage Bonds under the same indenture of mortgage, the last mentioned indenture being filed as Exhibit No. 5 herein; said indenture and supplemental indenture<sup>s</sup> hereby being made a part hereof, by reference. Said bonds are to mature, subject to prior redemption, on August 1, 1976.

Company also asks that, if authority to issue is granted, it be authorized to sell said \$600,000.00 principal amount of First Mortgage Bonds, Series C, to John Hancock Mutual Life Insurance Company, of Boston, Massachusetts, at 100% of the principal amount thereof, plus accrued interest from February 1, 1948, to date of sale, said bonds to bear interest at the rate of 3-3/8% per annum, and to amortize over the life of said bonds the debt discount and expense incurred in connection with the issue and sale thereof.

A public hearing was held at the Commission's Hearing Room, 330 State Office Building, Denver, Colorado, after appropriate notice, on February 17, 1948, and the matter was taken under advisement.

Applicant is a corporation, existing under the laws of the State of Delaware, engaged principally in the purchase, transmission, distribution, and sale of electricity.

It is an electric public utility, subject to the jurisdiction of the Commission, owning and operating an electric system which is wholly within the State of Colorado, its office and principal center for distribution and sale of electricity being at Golden, Colorado.

For the year ended November 30, 1947, Company reports operating revenues of \$1,220,760.80, and net income - that is, the amount available for dividends and surplus, after provision for Federal and State income taxes - of \$211,369.06. Earnings in prior years have been satisfactory. During the years 1944, 1945, 1946, and 1947, dividends in the respective amounts of \$70,000.00, \$70,000.00, \$76,562.50, and \$83,093.85 were paid. Per share dividends in 1947 amounted to \$1.80.

Company reports assets and liabilities, as of November 30, 1947, as follows:

ASSETS

Property, plant, equipment, etc.,	
less retirements . . . . .	\$2,861,708.04
Current and accrued assets . . . . .	599,568.61
Deferred Debits . . . . .	83,200.60
Total Assets . . . . .	\$3,544,477.25

LIABILITIES

Capital Stock issued and outstanding . . . . .	\$ 534,030.00
Fund Debt, First Mortgage 2-7/8% Bonds,	
Series B, due August 1, 1976 . . . . .	1,300,000.00
Current Liabilities . . . . .	398,763.06
Other Liabilities, Deferred Cash Sales	
and Customers' Advances . . . . .	30,974.36
Reserves . . . . .	805,961.05
Surplus. . . . .	474,748.78
Total Liabilities . . . . .	\$3,544,477.25

Company, as of date November 30, 1947, had an authorized capital stock of \$1,000,000.00, divided into 100,000 shares of common stock of the par value of \$10.00 per share, of which 53,403 shares were outstanding. On February 14, 1948, outstanding stock amounted to 53,443.

Company further has issued and outstanding \$1,300,000.00 principal amount of First Mortgage 2-7/8% Bonds, Series B, due August 1, 1976, which were issued on September 6, 1946, under and pursuant to the terms and provisions of "Indenture" referred to. A specimen of First Mortgage 2-7/8% Bonds, Series B, showing the terms and conditions of all presently outstanding bonds is a part of the record in Application No. 8535 heretofore referred to and by reference is made a part hereof.

The financing proposed herein was authorized to secure funds for the acquisition of property, for the construction, completion, extension, and improvement of its facilities, for the improvement and maintenance of its service, and for the reimbursement of moneys actually expended for said purposes from income and other moneys in Company's treasury not secured by or obtained from issuance of securities within five (5) years next prior to the filing of application herein. During the year 1946, Company expended, for additions and extensions to its plant

and properties the sum of \$353,895.37. Expenditures for the year 1947 amounted to \$660,469.01, and it is estimated that, for similar purposes, Company will expend \$643,805.00 in the year 1948, and \$541,495.00 in the year 1949. Copies of its construction budgets for the year 1948 and the year 1949 are attached to the application, respectively marked "Exhibit C" and "Exhibit D". John Hancock Mutual Life Insurance Company, of Boston, Massachusetts, to whom Company proposes to sell said bonds in the principal amount of \$600,000.00, now holds, and at all times since the issue thereof has held, all outstanding bonds issued by Company, present funded debt being the principal amount of \$1,300,000.00. Company asks that the proposed sale be exempted from competitive bidding.

It appeared that yield to proposed purchaser of the additional bonds, which authority to issue and sell is sought herein, on the basis proposed, will be 3-3/8% per annum; that Company has caused a careful study to be made of market values of bonds similar in character to those which it proposes to issue, and, based upon its investigation, believes that such bonds cannot be sold on a more advantageous basis than they set forth in the application herein. On the contrary, Company is convinced that, presently, it would be difficult to secure bids on a public invitation to bid for an issue of bonds of the size and of the character herein proposed, and, if any bids were to be received, they would be on a basis to yield an amount substantially in excess of 3-3/8% to maturity to whomever might be the purchaser. It was also represented that, if bonds were sold at private sale, it will not be necessary to register same with the Securities and Exchange Commission under the Securities Act of 1933, as amended; that expense of preparing prospectus, etc., will be avoided; that expense incident to proposed issue and sale of new bonds will be approximately \$15,000.00. Principal charges will be counsel fees, printing, travel expense, and finder's fees.

The Commission's staff has examined the application, and being of the opinion that the proposed transaction is compatible with the



public interest, has recommended that the authority sought be granted.

While the Commission recognizes the desirability of competitive bidding, to date it has not concluded that public interest demands that this rule be adhered to in all instances, but that each case should be considered on the facts peculiar to the matter under consideration.

It here appeared that the public sale method would cost the Company considerably more than if the bonds were sold privately, as contemplated. The market is now favorable, and neither this Commission nor Company has any assurance that the bond market will be as favorable in the future as it is today. Necessarily, preparation of documents, and time required for investigation by interested underwriters, would postpone the sale of the proposed bonds for a considerable period of time. Then, there could be no definite assurance as to the price at which the bonds could be sold. It would also seem that the insurance company which now holds the bonds heretofore issued under the Indenture of Mortgage, and supplements thereto, would be more receptive to the new issue than would the average investor. The yield to the investor is not out of line with yields currently obtained from similar bonds recently sold.

### F I N D I N G S

#### THE COMMISSION FINDS:

That petitioner, Colorado Central Power Company, is a public utility, as defined in Section 3, Chapter 137, 1935 Colorado Statutes Annotated.

That this Commission has jurisdiction of said applicant and subject matter of petition herein.

That the Commission is fully advised in the premises.

That the issuance by Company of the securities proposed to be issued, as hereinabove set forth, is reasonably required and necessary for its proper corporate financing, and the construction progress aforesaid, and the amount thereof added to outstanding bonds will not be in excess of amount authorized to issue under the Indenture.

That said utility is able to service the additional debt.

That the proposed securities transaction is not inconsistent with the public interest, and the purpose or purposes thereof are permitted by and are consistent with the provisions of Chapter 137, 1935 Colorado Statutes Annotated, as amended by Session Laws of 1947, and that the Order sought should issue and should be made effective forthwith. That Bonds are to be issued and sold to John Hancock Mutual Life Insurance Company, Boston, Massachusetts, and for the proper and easy identification thereof, shall bear a serial number on the face thereof.

#### O R D E R

##### THE COMMISSION ORDERS:

That Colorado Central Power Company, a Delaware corporation, be, and it hereby is, authorized and empowered to issue and sell Six Hundred Thousand Dollars (\$600,000.00) principal amount of its First Mortgage 3-3/8% Bonds, Series C, dated as provided in its original Indenture of Mortgage, supplemented and amended by certain Supplemental Indentures, more fully described in the Statement preceding, which by reference is made a part hereof, and maturing, subject to prior redemption, on August 1, 1976, said First Mortgage 3-3/8% Bonds, Series C, to be issued under and to be secured by Company's Indenture of Mortgage to Guaranty Trust Company of New York, as Trustee, dated as of May 1, 1939, as supplemented and amended by Supplemental Indentures, respectively dated October 1, 1941, July 1, 1946, August 1, 1946, and February 1, 1948, entered into between Company and The United States National Bank of Denver, Trustee, as successor to Guaranty Trust Company of New York, as Trustee, under Original Indenture, at a price of 100% of the principal amount thereof, plus accrued interest from February 1, 1948, to date of sale.

That the public interest does not require that said bonds be sold at competitive bidding, and competitive bidding should be, and hereby is, waived for the purpose of this proceeding.

That the bonds to issue hereunder shall issue to John Hancock Mutual Life Insurance Company of Boston, Massachusetts, and shall bear on the face thereof a serial number for proper and easy identification thereof; that within sixty (60) days from the issuance and delivery of said bonds, Colorado Central Power Company shall make verified report to the Commission of such serial numbers placed on such bonds so issued.

That Colorado Central Power Company be, and it hereby is, authorized to use the proceeds received from the sale of said bonds, together with cash from the general funds of Company, for the acquisition of property, for the construction, completion, extension, and improvement of its facilities, for the improvement and maintenance of its service, and for the reimbursement of moneys actually expended for said purposes from income and other moneys in Company's treasury not secured by or obtained from issuance of securities within five (5) years next prior to the filing of this application.

That Company shall make a certified report to the Commission not later than three (3) months after the sale of bonds heretofore authorized, stating the moneys received therefrom and, in detail expenses incident to such sale, accompanying the same with copies of the entries recorded on the books of the Company as a result of the consummation of the financing as before provided.

That nothing herein shall be construed to imply any recommendation or guaranty of or any obligation with respect to said First Mortgage 3-3/8% Bonds, Series C, maturing August 1, 1976, or the interest thereon, on the part of the State of Colorado.

That the Commission retains jurisdiction of this proceeding, to the end that it may make such further order in the premises as to it may seem to be proper and desirable.

That the authority herein granted shall be authorized from



and after this date, this Order hereby being made effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Norton  
John R. Barry  
Commissioners

DATED at Denver, Colorado,  
this 26th day of February, 1948.

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Original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
COLORADO UTILITIES CORPORATION, A  
CORPORATION, STEAMBOAT SPRINGS,  
COLORADO, FOR ORDER AUTHORIZING SALE  
BY COLORADO UTILITIES CORPORATION TO  
YAMPA VALLEY ELECTRIC ASSOCIATION,  
INCORPORATED, OF CERTAIN ASSETS INCLUD-  
ING EXISTING AND OPERATING LINES FOR  
ELECTRIC SERVICE IN THE COUNTY OF  
ROUTT, STATE OF COLORADO.

APPLICATION NO. 9049

February 25, 1948

Appearances: Leon H. Snyder, Esq., Colorado Springs,  
Colorado, for Transferor;  
Marvin L. Brown, Esq., Steamboat Springs,  
Colorado, for Transferee;  
C. L. Flower, Denver, Colorado, of  
The Public Utilities Commission  
of the State of Colorado, for  
the Commission.

S T A T E M E N T

By the Commission:

By this application, Colorado Utilities Corporation, which operates and maintains a generating plant for the production of electrical energy at McGregor, Colorado, and lines for the transmission and distribution thereof in certain areas in Moffat and Routt Counties, Colorado, under certificate of public convenience and necessity issued by this Commission, asks authority to sell to Yampa Valley Electric Association, Inc., for a base price of Fifty-Two Thousand Five Hundred Dollars (\$52,500.00), that portion of its distribution system in Routt County, Colorado, which is served through the Keystone Sub-Station (but not including said Keystone Sub-Station), said transmission line being approximately twelve miles in length, and extending from Haybro to Yampa, together with all sub-stations (except said Keystone Sub-Station), connecting

lines, poles, transformers, and other property essential to or now used in connection with said lines and serving said territory between Haybro and Yampa, as more fully described in a certain agreement and contract made by and between Colorado Utilities Corporation and Yampa Valley Electric Association, Inc., dated December 19, 1947, being Exhibit No. 1 at the hearing, held in Denver, Colorado, on February 17, 1948, which by reference is made a part hereof.

No one appeared in opposition to the granting of the authority sought, although the Mayors of the Town of Phippsburg and Yampa and Board of County Commissioners of Routt County were notified of time and place of hearing. The matter was taken under advisement.

At the hearing, it appeared that Yampa Valley Electric Association, Inc., is a cooperative, incorporated under the laws of the State of Colorado; that the Association is engaged in distributing electrical energy at wholesale and retail to numerous customers in the Yampa Valley and Carbon County, Wyoming; that its operations have been financed by the United States Government through Rural Electrification Administration; that purchase of property heretofore described was regularly authorized by its Board of Directors; that terms, price, etc., upon which Association would purchase the property were determined and settled by said Directors and officers of Colorado Utilities Corporation; that R. E. A. has approved contract, and has made money available to the Association to cover purchase price; that electric service now furnished by Colorado Utilities Corporation to its customers in the territory served by said line is not satisfactory; that some of the transmission lines are single-phase, three-phase service extending only to Yampa; that a large number of people in rural areas along or within reasonable distance of said transmission lines desire, but have not been able to obtain, service; that it is not practical for the Association to serve said potential customers alone; that if and when it attains the line which it here seeks to purchase, it will be able to serve said rural customers and the present customers of Colorado

Utilities to advantage; that it will rehabilitate the lines of Colorado Utilities and place them in serviceable condition, so that the entire property can be integrated and operated as a whole; that extensions will be made in rural areas as quickly as materials become available.

Our Accounting Department reports that the consideration for transfer is consistent with the value of the property, and its sale will not be inconsistent with the interests of the customers served by the lines sold or the customers of Colorado Utilities served by the lines retained.

Copies of Articles of Incorporation of the Association and its By-Laws have not been furnished. Apparently the proposed transfer is believed by the contracting parties, acting through their duly authorized representatives, to be in their interest. So far as the record discloses, Yampa Valley Electric Association, Inc. has a satisfactory operating experience. It purchases its energy at wholesale from Colorado Utilities Corporation. The customers of Colorado Utilities apparently are agreeable to the change -- at least none of them objected.

We believe that the customers of Colorado Utilities Corporation will receive from transferee adequate and reasonably efficient service at proper rates under the supervision of the Commission, and that benefits probably will accrue to many citizens of Yampa Valley not now receiving electrical service by the inclusion of the territory where they reside in the Association's system, and that the convenience and necessity of the public, generally, in the territory involved will be served by allowing the transfer.

#### FINDINGS

We therefore find that public convenience and necessity require the proposed transfer and sale to Yampa Valley Electric Association, Inc., a Colorado corporation, by Colorado Utilities Corporation, a corporation, of the property heretofore mentioned which is described in Exhibit No. 1, and as more particularly set forth in Exhibit A, thereto attached and being



a part thereof, including the certificate of public convenience and necessity issued by this Commission to Colorado Utilities Corporation to serve said area, said contract and bill of sale which is Exhibit A, attached to Exhibit 1, having been made a part thereof by reference, for the considerations therein expressed, subject, however, to the restrictions and conditions set forth in the Order following, which in the opinion of the Commission, the public interest require.

#### ORDER

##### THE COMMISSION ORDERS:

That public convenience and necessity require the transfer and sale to Yampa Valley Electric Association, Inc., a Colorado corporation, by Colorado Utilities Corporation, a corporation, of that portion of its certificates of public convenience and necessity, franchise rights, and other properties, which are more particularly described in the agreement of sale and purchase between said parties, of date December 19, 1947, being Exhibit No. 1 at the hearing (including Exhibit A mentioned in and attached to said Exhibit No. 1), which by reference is made a part hereof, for the considerations therein expressed, subject, however, to the following restrictions and requirements:

1. Yampa Valley Electric Association, Inc., a corporation, shall immediately, and not more than sixty (60) days from the date hereof, amend its Articles of Incorporation and its By-Laws to provide that service shall be rendered to non-members, as well as to members of the Association, and properly advise this Commission of such action upon consummation thereof, and file certified copy of said Articles of Incorporation, as amended, with this Commission.

2. That upon completion and consummation of transfer herein authorized, transferee shall take over and acquire all privileges and rights of Colorado Utilities Corporation, a corporation, its certificates



of public convenience and necessity and franchises from the towns and areas authorizing service by that portion of its system which said Association is acquiring pursuant to this order and said contract aforesaid, and shall assume and discharge all obligations thereby imposed upon said transferor, and shall furnish service, including, without limiting the generality of the foregoing, the sale of electric energy without discrimination between members and non-members of Association; and all franchise and statutory rights of the towns served under franchise shall be fully retained by said towns, it being contemplated that all persons and corporations now served by Colorado Utilities Corporation and other persons within the territory allocated to Colorado Utilities Corporation under its certificate of public convenience and necessity will be served by transferee — whether they do or do not become members of said Association.

That jurisdiction hereof be, and the same is, retained to the end that such further order or orders deemed necessary may be entered by this Commission.

That transferee shall file its rate schedules, rules and regulations, set up its books and accounts in agreement with the Uniform Classification of Accounts, and bring all its practices as to testing, consumers' deposits and operations, records of meters, transformers and complaints, into compliance with the Commission's requirements, as to all said acquired property, within thirty (30) days after the consummation of said transfer.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Malcom Erickson*

*Ralph C. Norton*

*John R. Barry*  
Commissioners

Dated at Denver, Colorado,  
this 25th day of February, 1948

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
EDWIN STEPHENS, RUSH, COLORADO, FOR )	APPLICATION NO. 8408-PP
AN EXTENSION OF THE AUTHORITY GRANTED )	
IN APPLICATION NO. 7979-PP. )	EXTENSION
----- )	

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February 26, 1948  
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Appearances: Edwin Stephens, Rush, Colo-  
rado, pro se;  
Marion F. Jones, Esq.,  
Denver, Colorado, and  
Truman A. Stockton, Jr., Esq.,  
Denver, Colorado, for:  
G. Barnhill, W. R. Book,  
J. M. Williams, Dennis A.  
Burroughs, Clarence R.  
Bender, Wayne Friddle,  
J. H. McCorkle, Clarence L.  
Middleton.

S T A T E M E N T

By the Commission:

On December 21, 1946, Edwin Stephens, of Rush, Colorado, by Decision No. 27273, was authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of farm products, excluding livestock, between points within the area bounded on the west by a line drawn north and south 25 miles west of Rush; on the north by a line drawn east and west 25 miles north of Rush; on the east by a line drawn north and south 60 miles east of Rush; and on the south by a line drawn east and west 25 miles south of Rush; small grain from farms in said territory to Colorado Springs, Pueblo, La Junta, and Rocky Ford, Colorado, without the right to engage in town-to-town service in competition with authorized line-haul motor vehicle common carriers.

On April 3, 1947, the applicant herein filed his application for an extension of his present authority to include the transportation of

livestock and machinery between points within presently authorized territory (no farm-to-farm or town-to-town movement), and from and to points in said area to and from Pueblo, Colorado Springs, La Junta, Denver, and Limon, straight trucks only -- no semi-trucks to be used.

The matter was set for hearing, and heard, in the City Hall at Colorado Springs, Colorado, on May 14, 1947, and there taken under advisement.

At the hearing, the evidence disclosed that applicant is the owner of a 1945 1 $\frac{1}{2}$ -ton truck, equipped with a 14-foot grain bed, and is presently operating under authority granted in Decision No. 27273, and is financially, and otherwise, qualified to carry on his proposed operation.

Alva Sutliff, a farmer who lives near Rush, Colorado, states he needs the services of applicant in hauling livestock; that he markets 6 to 10 head of cattle per year, and has experienced considerable difficulty in obtaining carriers; that he has used Book in the past, but Book lives some 12 miles distant from his farm, and they do not have telephones, making it difficult for him to contact carriers located at Rush, or in neighboring towns.

Mr. Claude Logan and George W. Payne, both farmers residing in the Rush area, state they desire applicant's proposed service, and if authority is granted, will use same. They also say they have had considerable difficulty in obtaining trucks to haul cattle during the fall, stating the reason being that there are no trucks available.

Earl S. Compton, also a farmer and stock raiser, states he needs the services of applicant, and that he markets 16 to 20 head of cattle per year; that in his experience, there is not adequate service, especially during the fall of the year.

Mr. Wayne Hill, of Rush, Colorado, also stated he needed applicant's service, and stated he found a shortage of trucks during the fall; that trucks were hard to get, due to lack of telephone service in the territory, and he felt that another local carrier was needed in the Rush area.

George Forbes, of Rush; Guy Petrie, of Kendrick; C. E. Mattson, of Kutch; M. K. Duncan, of Karval; J. S. Logan, of Ordway; F. W. Ender, of Rush; Joe Quick, of Hugo; Lynn Rose, of Kendrick; and Mike Murphy, of Rush, all appeared at the hearing to testify for applicant, and it was agreed and stipulated that their testimony would be substantially the same as that of the other witnesses who have previously testified for applicant.

J. H. Middleton, holder of PUC-877, of Karval, Colorado, whose base area extends within a 30-mile radius of Karval, protested the granting of the extension, stating that his equipment is not always busy, and he feels the common carriers in his area are giving ample service.

Mr. Barnhill, holder of PUC-875, who holds authority in this area, and some of his authority includes Rush, also strenuously objected to the granting of the livestock and machinery haul. He maintains that the present carriers are giving adequate service, and that he, too, has idle equipment a major portion of the year.

Mr. McCorkle, who holds PUC-1634, of Karval, also protested the granting of the livestock haul, and stated he has some overlapping territory with applicant's proposed service.

W. R. Book, of Rush, Colorado, who holds PUC-420 also very strenuously objected to the granting of authority for livestock and machinery hauling, and stated that the territory sought by applicant covers substantially his territory. He states that in his operation he is giving an adequate service; that he also is not able to keep his equipment busy, and he feels that the granting of the application would impair his present service.

The Commission has very carefully considered the record in the instant matter. On the one hand, we have some fifteen shipper-witnesses, who came before the Commission maintaining that there is not an adequate service in their area for hauling livestock. We might say at this time, however, that there was very little evidence by shippers for a need to haul machinery. It appears that the shipping is largely done in the fall,

and this is the time there appears to be a shortage of transportation. These shipper-witnesses, and farmers, who appeared at the hearing, are stockmen who desire applicant's service to take care of their individual needs.

On the other hand, we have four common carriers, one of whom serves substantially the same territory asked for by applicant. The other three, a portion of said territory. All of the common carriers maintain they are giving an adequate service, and that they presently cannot keep their equipment busy only part of the time.

We have examined the ton-mile tax of protestants Middleton, Barnhill and McCorkle for the past year, and according to said reports the granting of the instant application will not impair their service.

Book, on the other hand, serves this area, and the question now confronting the Commission is whether or not service in hauling livestock is adequate, or can it be made adequate. It is the duty of the Commission to give the shippers of an area adequate service. This is, at times, very difficult, due to the fact that large movements are made during the fall months, with little or no business the rest of the year.

We cannot overlook the testimony of the shipper-witnesses who state present service is inadequate, and that they desire and need applicant's service.

After careful consideration of the record, the Commission is of the opinion, and finds, that that portion of the application for hauling of livestock is in the public interest, and that the proposed operation will not impair the efficiency of any adequate carrier service in the territory sought to be served by applicant and that the extension of permit should issue, and in all other respects the application should be denied.

#### O R D E R

#### THE COMMISSION ORDERS:

That Edwin Stephens, of Rush, Colorado, be, and he hereby is, authorized to extend his operations under private carrier Permit No. B-3629

to include the transportation of livestock between points within presently authorized territory, and from and to points in said area to and from Pueblo, Colorado Springs, La Junta, Denver, and Limon, with the following restrictions: that applicant be limited to the use of one straight truck of a  $1\frac{1}{2}$ -ton capacity, with stockrack not to exceed 14 feet in length.

That this order is made part of the permit granted to applicant, and shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Malcolm Erickson*

*Ray C. Wilson*  
*John P. Barry*  
Commissioners.

Dated at Denver, Colorado,  
this 26th day of February, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
COMMONWEALTH UTILITIES CORPORATION, )  
STEAMBOAT SPRINGS, COLORADO, FOR )  
ORDER AUTHORIZING SALE BY COMMON- )  
WEALTH UTILITIES CORPORATION TO Y-W )  
ELECTRIC ASSOCIATION, INC., OF ALL )  
ITS ASSETS, INCLUDING EXISTING AND )  
OPERATING LINES FOR ELECTRIC SER- )  
VICE IN THE COUNTY OF WASHINGTON, )  
STATE OF COLORADO. )  
-----

APPLICATION NO. 9048

-----  
February 25, 1948  
-----

Appearances: Leon H. Snyder, Esq., Colorado  
Springs, Colorado, for  
applicants;  
C. L. Flower, Denver, Colorado,  
of The Public Utilities Com-  
mission of the State of Colo-  
rado, for the Commission.

S T A T E M E N T

By the Commission:

Commonwealth Utilities Corporation, transferor herein, under certificates of public convenience and necessity issued by this Commission, operates and maintains generating plants for the production of electrical energy at Akron, Colorado, and lines for the transmission and distribution thereof in certain rural areas and municipalities in Washington County, Colorado, including, among others, the Towns of Akron and Otis, Colorado. Besides its certificates of public convenience and necessity, it owns certain franchise rights granted by the municipalities it serves to it or to its predecessors in interest to operate said electrical systems in said towns.

By this application, applicant seeks authority to sell all its electrical and utility property in Washington County, Colorado, which it owns, holds, and uses, for the purpose of serving citizens of said



county with electrical energy, said property, including generating plants, transmission lines, distribution systems, certificates, franchises, real estate, etc., being particularly described in Exhibit A, which is attached to Exhibit No. 1, which was introduced in evidence at the hearing herein, in Denver, Colorado, on February 17, 1948, said exhibits, by reference, being made a part hereof, to Y-W Electric Association, Inc., a non-profit cooperative association incorporated under the provisions of Chapter 52, Session Laws of Colorado 1913, which Association is financed and supervised by Rural Electrification Administration, organized by Act of Congress. The terms of sale and purchase are set forth in said written agreement and bill of sale heretofore mentioned, which, by reference, have been made a part hereof.

Copies of said application, with Notice of Hearing, were duly served upon the Towns of Akron and Otis and Board of County Commissioners of Washington County, Colorado.

No one appeared in opposition to the granting of the authority sought, and the matter, after hearing, was taken under advisement.

At the hearing, it appeared that Y-W Electric Association, Inc., is a cooperative, engaged in distributing electrical energy at wholesale and retail to its customers in Washington County and neighboring counties; that its operations have been financed by the United States Government through R.E.A.; that purchase of properties was regularly authorized by its Board of Directors; that terms, price, etc., upon which transferee would purchase property were determined and settled by said Directors, representatives of R.E.A., the Association's Engineer, and representatives of transferor; that R.E.A. has approved contract and form of deed and bill of sale aforesaid, and will advance the base price of Two Hundred Thousand Seven Hundred Dollars (\$200,700.00) and additions thereto, if any, for the purchase of said properties under contract aforescribed out of an allocation of \$261,000.00 heretofore made by R.E.A. for the acquisition of said property, which will add seven hundred eighty-five consumers, most of whom have signed applications for membership in the Association and



have indicated their desire to be served by it; that Association will continue to serve them and any persons in the territory allocated to Commonwealth Utilities Corporation which it is acquiring who desire service — even though they do not become members — and will fulfill the obligations of Commonwealth Utilities Corporation and its obligations as transferee thereof to serve under franchises and certificates it proposes to take over; that it will integrate its presently-owned lines with the acquired lines, and will build additional extensions to serve rural persons in said area who would not get electricity, had not the Association purchased said lines; that all properties will be integrated and operated as a whole; that the Association has checked the territory, and believes that the present lines can be operated and the customers reached thereby served and extensions contemplated can be made with profit.

The record is sufficient to show that financially transferee is able and qualified to take over and operate the Commonwealth Utilities Corporation properties. There is no evidence to the contrary, and the examination made by our staff shows that is true. It did not appear that the management of transferee is not competent and efficient, or that the service to be furnished Commonwealth Utilities customers may be less satisfactory than the service now furnished by Commonwealth. If and when connection is made with generating facilities now being constructed by Reclamation Department, transferee expects to reduce rates and no customers of transferor, and no members of the Association appeared at the hearing to voice objections to the sale and purchase. Apparently customers of Commonwealth welcome the change, and believe they will secure adequate and satisfactory service from the Association at proper rates.

Here, the management of Commonwealth Utilities Corporation, after careful consideration, desires to sell company's properties and operating rights in Washington County to Y-W Electric Association, Inc., an R.E.A. Cooperative with, so far as the record discloses, a satisfactory

operating experience. The proposed transfer is believed by contracting parties, acting through their duly authorized representatives, to be in their interests. Present customers of Commonwealth Utilities, a corporation -- 785 in number -- have not objected to the transfer. The Town of Otis, in writing, has consented thereto, and granted a franchise to Y-W Electric Association, Inc., to furnish electric service in the Town of Otis. We believe that customers of Commonwealth Utilities will continue to receive from transferee adequate and reasonably efficient service at proper rates under the supervision of the Commission, and that many farms in Washington County not now receiving electric service by the inclusion in the Association's system of this territory where they now reside, will be connected and receive electrical service, and that the convenience and necessity of the public, generally, in the territory in question will be served by allowing the transfer.

#### F I N D I N G S

We therefore find that public convenience and necessity require the proposed transfer and sale to Y-W Electric Association, Inc., by Commonwealth Utilities Corporation, of its certificates of public convenience and necessity and other properties, as more particularly described in said Exhibit No. 1, and Exhibit A, being copy of a deed and bill of sale, thereto attached, which by reference has been made a part hereof, for the considerations therein expressed, subject, however, to the restrictions and conditions set forth in the Order following, which in the opinion of the Commission, public interest requires.

#### O R D E R

##### THE COMMISSION ORDERS:

That public convenience and necessity require the transfer and sale to Y-W Electric Association, Inc., a non-profit cooperative association, by Commonwealth Utilities Corporation, a corporation, of its certificates of public convenience and necessity, franchise rights, and other properties, as set forth in Exhibit No. 1 and Exhibit A (being a deed and bill of sale, thereto attached), described in Statement preceding,

which said Exhibit, by reference, is made a part hereof, for the considerations therein expressed, subject, however, to the following restrictions:

(1) Y-W Electric Association, Inc. shall immediately, and not more than sixty (60) days from date hereof, amend its Articles of Incorporation and By-Laws to provide that service shall be rendered to non-members as well as members of the Association, and properly advise this Commission of such action.

(2) That upon completion and consummation of transfer herein authorized, transferee shall take over and acquire all privileges and rights of Commonwealth Utilities Corporation under its certificates of public convenience and necessity and franchises in the towns and rural areas in Washington County served by Commonwealth Utilities Corporation, and shall assume and discharge all obligations thereby imposed upon said Commonwealth Utilities Corporation under said certificates and franchises, and shall furnish service, including, without limiting the generality of the foregoing, the sale of electric energy, without discrimination between members and non-members of Association, and all franchise and statutory rights of the towns served under franchise shall be fully retained by said towns.

That jurisdiction hereof be, and the same hereby is, retained to the end that such further order or orders deemed necessary may be entered by this Commission.

That transferee shall file its rate schedules, rules and regulations, set up its books and accounts in agreement with the Uniform Classification of Accounts, and bring all its practices as to testing, consumers' deposits and operations, records of meters, transformers and complaints, into compliance with the Commission's requirements, as to all said acquired property within thirty (30) days after the consummation of said transfer.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Watson

John R. Barry  
Commissioners

Dated at Denver, Colorado,  
this 25th day of February, 1948.

mw

( Decision No. 30011 )

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
ZEPHYR VAN LINES, INC., 140 NORTH )  
DEARBORN STREET, CHICAGO, ILLINOIS, )  
FOR AUTHORITY TO TRANSFER INTER- )  
STATE OPERATING RIGHTS TO PAUL J. )  
SMITH, HAROLD P. SMITH, AND O. J. )  
PLUMMER, JR., CO-PARTNERS, DOING )  
BUSINESS AS "REPUBLIC VAN & STOR- )  
AGE CO.", 214 NORTH ALAMEDA STREET, )  
LOS ANGELES, CALIFORNIA. )

PUC NO. 1630-I  
SUPPLEMENTAL ORDER

February 28, 1948

S T A T E M E N T

By the Commission:

Upon application of Zephyr Van Lines, Inc., appearing by  
Joseph A. Mogill, -

IT APPEARING that transfer of PUC No. 1630-I by Zephyr Van  
Lines, Inc., to Republic Van & Storage Co., was not contemplated, and  
that application in the above-styled matter should have requested  
approval of lease, instead of transfer, -

F I N D I N G S

THE COMMISSION FINDS:

That Decision No. 29879 should be set aside, vacated, and held  
for naught.

O R D E R

THE COMMISSION ORDERS:

That the above-styled Decision No. 29879, of date February 9,  
1948, be, and the same hereby is, set aside, vacated, and held for  
naught.



That this order shall become effective as of the day and  
date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Horton

John B. Barry  
Commissioners

DATED at Denver, Colorado,  
this 28th day of February, 1948.

EHC

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
MARTIN E. STITES, 3510 WEST CUSTER )  
PLACE, DENVER, COLORADO, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )

APPLICATION NO. 9097-PP

February 28, 1948

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points within a radius of fifty miles of Denver, Colorado, to points within said fifty-mile radius of Denver, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to Valmont Plant of Public Service Company, near Boulder, Colorado, to Rocky Mountain Arsenal, located northeast of Denver, and to Denver, Colorado.

Inasmuch as the motor carrier associations heretofore have indicated they have no objection to the granting of permits limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Martin E. Stites, Denver, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points within a radius of fifty miles of Denver, Colorado, to points within said fifty-mile radius of Denver, Colorado, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to Valmont Plant of Public Service Company, near Boulder, Colorado, to Rocky Mountain Arsenal, located northeast of Denver, Colorado, and to Denver, Colorado.

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

That the right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of this Commission.

That this order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Malcolm Erickson*

*Ralph C. Norton*

*John R. Barry*  
Commissioners

DATED at Denver, Colorado,  
this 28th day of February, 1948.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
M. H. SCHWAB, 3747 FRANKLIN STREET, )  
DENVER, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )

APPLICATION NO. 9096-PP

February 28, 1948

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado, to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver, Colorado, to Valmont Plant of Public Service Company, near Boulder, Colorado, to Great Western Sugar Company Plants at Loveland, Greeley, Fort Lupton, Brighton, and Johnstown, Colorado, and to Rocky Mountain Arsenal, northeast of Denver, Colorado.

Inasmuch as the motor carrier associations heretofore have indicated they have no objection to the granting of permits limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That M. H. Schwab, Denver, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver, Colorado, to Valmont Plant of Public Service Company, near Boulder, Colorado, to Great Western Sugar Company Plants at Loveland, Greeley, Fort Lupton, Brighton, and Johnstown, Colorado, and to Rocky Mountain Arsenal, northeast of Denver, Colorado.

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

That the right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of this Commission.

That this order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Malcom Erickson*

DATED at Denver, Colorado,  
this 28th day of February, 1948.

*Ralph C. Nelson*  
*Charles R. Barry*  
Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

REGARDING APPLICATION OF CLASS ONE }  
RAIL CARRIERS TO INCREASE THE BASIC }  
ONE-WAY PASSENGER FARES FOR TRANS- }  
PORTATION IN COACHES BY 13.63%; }  
ALSO, TO INCREASE ROUND-TRIP FARES }  
FOR SUCH TRANSPORTATION TO 180% OF }  
SUCH PROPOSED BASIC ONE-WAY FARES. }

Application No. 9098.

February 27, 1948

S T A T E M E N T

By the Commission:

Class One Rail Carriers, namely: - The Atchison, Topeka and Santa Fe Railway Company; Chicago, Burlington & Quincy Railroad Company; The Colorado and Southern Railway Company; The Chicago, Rock Island and Pacific Railway Company; Missouri Pacific Railroad Company (Guy E. Thompson, Trustee); Union Pacific Railroad Company; and the Denver and Rio Grande Western Railroad Company - are seeking authority to increase their basic one-way passenger fares for transportation in coaches by 13.63%; - (the basic one-way fare, so increased, will approximate 2.5 cents per mile with a minimum one-way fare of 15 cents); - also to increase round trip station to station fares in coaches to 180% of the proposed basic one-way fares. To dispose of fractions of a cent as follows: - when total increased fares result in fractions of a cent, fractions of less than 0.5 cents shall be dropped and fractions of 0.5 cents or greater be increased to the next whole cent; and round trip fares - adding sufficient to make fare end in "0" or "5".

A similar petition was filed with Interstate Commerce Commission on February 29, 1947 and was assigned Docket Number 29897, and a hearing was held in Chicago on January 27, 1948. On February 10, 1948 the Interstate Commerce Commission issued its report and order authorizing on interstate traffic the same increase as is being sought herein on Colorado intrastate traffic.

F I N D I N G S

THE COMMISSION FINDS, That the matter should be set for public hearing.

O R D E R

IT IS ORDERED, That the matters hereinbefore set forth be, and it is hereby assigned for hearing in the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, on March 9, 1948 at 2:00 P.M.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Malcolm Erickson*

*Rueph C. Hahn*

*John R. Barry*  
Commissioners

Dated at Denver, Colorado  
this 27th day of February, 1948.

HN

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
C. R. KNEELAND, OF 178 SOUTH ) PERMIT NO. B-3204.  
GARFIELD STREET, DENVER 6, )  
COLORADO. )  
-----)

-----  
March 5, 1948  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that his permit No. B-3204, be suspended for six months.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That C. R. Kneeland be, and he is hereby, authorized to suspend his operations under Permit No. B-3204, until August 19, 1948.

That unless said C. R. Kneeland shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said permit, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to private carrier permits, said permit, without further action by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Horton

John R. Barry.

Commissioners.

Dated at Denver, Colorado,  
this 5th day of March, 1948.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
KENNETH CARROLL, 1016 BENETT )  
AVENUE, GLENWOOD SPRINGS, COLO.)  
)  
)  
)

PERMIT NO. C-6428.

March 5, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Kenneth Carroll,  
requesting that Permit No. C-6428 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-6428, heretofore issued to  
Kenneth Carroll,  
and the same is hereby, declared cancelled effective February 6, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcolm Erickson*

*Ralph C. Norton*

*John R. Barry*

Commissioners

Dated at Denver, Colorado,  
this 5th day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
EVERETT WILCOX, 1705 NO. NEVADA )  
COLORADO SPRINGS, COLORADO )  
)  
)  
)

PERMIT NO. C-16416.

-----  
March 5, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Everett Wilcox,  
.....  
requesting that Permit No. C-16416 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-16416, heretofore issued to.....  
Everett Wilcox,  
..... be,  
and the same is hereby, declared cancelled effective February 2, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Malcolm Erickson*  
\_\_\_\_\_  
*Ralph C. Whitcomb*  
\_\_\_\_\_  
*John R. Barry*  
Commissioners

Dated at Denver, Colorado,  
this 5th day of March, 1948.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
KENNETH W. SHIRLEY, 711 FAIR- )  
VIEW, CANON CITY, COLORADO. )  
)  
)  
)

PERMIT NO. C-16892.

-----  
March 5, 1948  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Kenneth W. Shirley,  
.....  
requesting that Permit No. C-16892.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-16892....., heretofore issued to.....  
Kenneth W. Shirley,.....be,  
and the same is hereby, declared cancelled effective February 20, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Malcom Erickson*  
-----  
*Ralph C. Wentworth*  
-----  
*John R. Berry*  
-----  
Commissioners

Dated at Denver, Colorado,  
this 5th day of March, 1948.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
L. W. HOUGHTON, BOX 127, )  
GRAND JUNCTION, COLORADO. )  
)  
)  
)

PERMIT NO. C-17466

-----  
March 5, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

L. W. Houghton,

requesting that Permit No. C-17466.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-17466....., heretofore issued to.....

L. W. Houghton,.....be,

and the same is hereby, declared cancelled effective January 20, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,

this 5th day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
J. R. JANES, SHOSHONE, WYO. )  
 )  
 )  
 )  
 )  
-----

PERMIT NO. C-18159.

-----  
March 5, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
J. R. Janes,  
requesting that Permit No. C-18159 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-18159, heretofore issued to.....  
J. R. Janes,  
be,  
and the same is hereby, declared cancelled effective February 7, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcolm Erickson*  
-----  
*Ralph C. Wentworth*  
-----  
*John R. Barry*  
-----  
Commissioners

Dated at Denver, Colorado,  
this 5th day of March, 1948.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JOHN C. HOTTLE, RT 1 BOX 2, )  
AULT, COLORADO )  
)  
)  
)

PERMIT NO. C-18836

March 5, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

John C. Hottle,

requesting that Permit No. C-18836 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-18836, heretofore issued to.....

John C. Hottle, be,

and the same is hereby, declared cancelled effective December 12, 1947.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcom Erickson*

*Ralph C. Hottel*

*John P. Barry*  
Commissioners

Dated at Denver, Colorado,

this 5th day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
CARL A. NICHOLS, LOMA, COLO. )  
 )  
 )  
 )  
 )  
 )

PERMIT NO. C-19265.

March 5, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

Carl A. Nichols.

requesting that Permit No. C-19265 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19265, heretofore issued to.....

Carl A. Nichols, be,

and the same is hereby, declared cancelled effective February 12, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Hinton

John R. Barry  
Commissioners

Dated at Denver, Colorado,

this 5th day of March, 1948.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
B. N. LEAR, PAISADE, COLORADO )  
)  
)  
)  
)  
-----

PERMIT NO. C-19705.

-----  
March 5, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
B. N. Lear.....  
requesting that Permit No. C-19705 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19705, heretofore issued to.....  
B. N. Lear,.....be,  
and the same is hereby, declared cancelled effective February 5, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcom Erickson*

*Ralph C. Norton*

*John R. Barry*  
Commissioners

Dated at Denver, Colorado,  
this 5th day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JOHN STEGER, 1429 SO. BDWY., )  
DENVER 10, COLORADO. )  
)  
)  
)

PERMIT NO. C-19746

March 5, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
John Steger,  
requesting that Permit No. C-19746 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19746, heretofore issued to.....  
John Steger,  
be,  
and the same is hereby, declared cancelled effective February 18, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Malcolm Erickson*  
*Ralph C. Hooten*  
*John B. Perry*  
Commissioners

Dated at Denver, Colorado,  
this 5th day of March, 1948.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
 )  
FLOYD A. JONES, 310 POPLAR ST., )  
LEADVILLE, COLORADO. )  
 )  
 )  
 )

PERMIT NO. C-19969.

-----  
March 5, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Floyd A. Jones,.....  
requesting that Permit No. C-19969.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19969....., heretofore issued to.....  
Floyd A. Jones,.....be,  
and the same is hereby, declared cancelled effective January 22, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcolm Erickson*

*Ralph C. Horton*

*John R. Barry*

Commissioners

Dated at Denver, Colorado,

this 5th day of March, 1948.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
DONALD A. ATWELL, 634 E. WILLA- )  
METTE, COLORADO SPRINGS, COLO. )  
 )  
 )

PERMIT NO. C-20052

March 5, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

Donald A. Atwell,

requesting that Permit No. C-20052 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20052, heretofore issued to.....

Donald A. Atwell,..... be,

and the same is hereby, declared cancelled effective February 12, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcolm Erickson*

*Ralph C. Hinton*

*John R. Barry*  
Commissioners

Dated at Denver, Colorado,

this 5th day of March, 1948.

original

(Decision No. 30027)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
PUBLIC SERVICE COMPANY OF COLORADO, )  
COLORADO-WYOMING GAS COMPANY, AND )  
GREELEY GAS COMPANY, FOR AN ORDER )  
RESTRICTING CERTAIN GAS INSTALL- )  
ATIONS AND CONNECTIONS ACCOUNT )  
SHORTAGE OF NATURAL GAS. )  
----- )

APPLICATION NO. 8458.  
SUPPLEMENTAL ORDER

-----  
March 1, 1948  
-----

Appearances: Lee, Shaw and McCreery, Esqs.,  
Denver, Colorado, for  
applicants.

S T A T E M E N T

By the Commission:

Upon petition of Public Service Company of Colorado, Greeley Gas Company, and Colorado-Wyoming Gas Company, filed on May 1, 1947, the Commission, by Decision No. 28191, dated May 17, 1947, as supplemented by Decision No. 28277, dated May 31, 1947, issued its order prohibiting connection of their respective mains with gas space heating appliances in all dwellings and buildings in the area served by said companies, except where such gas space heating appliances had been installed in new homes designed solely for space heating by gas.

It now appears that since the entry of said order, a new gas line has been constructed from Hugoton, Kansas, to Denver, Colorado, which line has been connected with additional line of Colorado-Wyoming Gas Company now being constructed between point of connection with said Hugoton-Denver Line and Cheyenne, Wyoming, to serve the territory traversed by it; that said line has been constructed as far north as the Towns of Brighton and Fort Lupton, thereby reducing main line requirements of the original line serving said area to about two thousand Mcf. on peak days;

that since completion of Hugoton-Denver Line, Colorado Interstate Gas Company has been able to maintain delivery pressures above two hundred pounds per square inch in Colorado-Wyoming Gas Company old line, thereby increasing the capacity of Colorado-Wyoming Gas Company's pipeline over and above the capacity of said line prior thereto; that for twenty years preceding, Weather Bureau Records show that coldest day in the Month of March was on March 10, 1932, when the mean temperature was two degrees F., which temperature was reached after a cold period lasting four days. Therefore,

It would seem that it could be reasonably anticipated that requirements for gas will not exceed the amount that readily can be supplied by Colorado Interstate Gas Company through Colorado-Wyoming Gas Company Lines. Such conclusion is also the opinion of gas engineers of Public Service Company and Colorado-Wyoming Gas Company.

#### FINDINGS

##### THE COMMISSION FINDS:

That its Decisions Nos. 28191 and 28277, restricting the use of gas, as set forth in the Statement preceding, should be set aside and vacated, and that said gas companies be authorized and required, in conformity with their respective duties and obligations as public utilities, to connect their natural gas lines with space heating appliances in the territories served by them, upon proper request and compliance by applicants with their rules, regulations and tariff schedules.

#### ORDER

##### THE COMMISSION ORDERS:

That Decisions Nos. 28191 and 28277, restricting the use of gas, as set forth in the Statement preceding, should be, and hereby are, set aside and vacated, and said gas companies be, and they hereby are, authorized and required, in conformity with their respective duties and obligations as public utilities, to connect their natural gas lines with space heating appliances in the territories served by them, upon proper request and compliance by applicants with their respective rules, regulations and tariff schedules - the areas served by Greeley Gas Company



and Public Service Company of Colorado, by distribution of gas at retail, generally, being Wheatridge, Mt. Aire, Edgewater, Lakewood, Cherry Hills, Arvada, Golden, Littleton, Englewood, Brighton, Fort Lupton, Longmont, Berthoud, Johnstown, Greeley, Loveland and fringe territory adjacent to Boulder, Fort Collins, and the City and County of Denver, Colorado.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. H. H. H.

John R. Barry

Commissioners.

Dated at Denver, Colorado,  
this 1st day of March, 1948.

ea.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
W. K. CARROLL, ROUTE 2, BOX 756, )  
PUEBLO, COLORADO, TO TRANSFER CER- )  
TIFICATES PUC 370 AND 370-I TO )  
STARK AND TODD, INC., LA JUNTA, )  
COLORADO. )

APPLICATION NO. 9054  
TRANSFER

IN THE MATTER OF THE APPLICATION OF )  
W. K. CARROLL, ROUTE 2, BOX 756, )  
PUEBLO, COLORADO, TO TRANSFER CER- )  
TIFICATES PUC 474 AND 474-I TO )  
STARK AND TODD, INC., LA JUNTA, )  
COLORADO. )

APPLICATION NO. 9055  
TRANSFER

March 3, 1948

Appearances: Jones and Stauffer, Esqs.,  
Denver, Colorado, and  
Truman A. Stockton, Jr., Esq.,  
Denver, Colorado, for  
Transferor and Transferee;  
R. N. Jackson, La Junta, Colo-  
rado, for the Jackson  
Trucking Company;  
A. J. Fregeau, Denver, Colorado,  
for Weicker Transfer and  
Storage Company.

S T A T E M E N T

By the Commission:

By Decision No. 24467, dated May 4, 1945, W. K. Carroll, doing  
business as "Carroll Lines," Pueblo, Colorado, acquired PUC No. 370, which  
authorizes a common carrier service by motor vehicle on call and demand  
for the transportation of:

Farm products from the farms in Pueblo County to  
markets in the City of Pueblo, and other points  
in said County, and farm supplies from points in  
said County to said farms, with the proviso that  
he should not engage in the transportation of  
freight between points on or near the Santa Fe  
Trail and other points in said County served by  
scheduled carriers, and for the conduct of a  
general transportation and cartage business in

Vineland, Pueblo County, Colorado, and between points in said County and other points in the State, with the proviso that for the transportation of commodities other than household goods between points served singly or in combination by scheduled carriers, applicant should charge rates which, in all cases, should be at least 20% in excess of those charged by the scheduled carriers; that he should not operate on schedule between any points, or, without the consent of the Commission, establish a branch office or have an agent employed in any town or city other than Vineland for the purpose of developing business.

However, in said decision, there was eliminated from said certificate the requirement that the certificate-holder shall not "establish a branch office or have an agent employed in any town or city other than Vineland for the purpose of developing business," and the Commission said, in lieu of said above paragraph, "and that the transferee be, and he hereby is, authorized to establish branch offices or maintain an agent or agents in Pueblo and Blend, Colorado, without the right to establish other branch offices or agencies in towns or cities other than Pueblo and Blend."

On April 19, 1947, W. K. Carroll, doing business as "Carroll Lines," by Decision No. 28109, acquired PUC No. 474, which authorizes Carroll to operate as a common carrier by motor vehicle for hire for the transportation of "freight from point to point within the city of La Junta, Colorado, and between said city and points lying within a radius of 50 miles thereof and all other points within the State."

Transferor now seeks authority to transfer Certificates PUC-370 and PUC-370-I; also PUC-474 and PUC-474-I; to Stark and Todd, Inc., a Colorado corporation, of La Junta, Colorado.

At the hearing, which was held at 330 State Office Building, Denver, Colorado, on February 18, 1948, Applications Nos. 9054 and 9055 were consolidated for hearing, and it there appeared that the consideration for the transfer of said certificates, together with seven semi-trailers, a service station, and a residence located at Blend, Colorado, near Pueblo, Colorado, is the sum of \$80,000.00, payable as follows: \$3,500.00 in escrow, and an additional \$14,000.00, both items to be paid to vendor upon the authorization of the Commission for trans-



fer of said certificates, the balance to be payable \$1,000.00 per month, with the entire balance payable three years from date.

It also appeared that there are no outstanding unpaid obligations against said operations, except current bills and current ton-mile tax, which vendor agrees to pay; that the ton-mile tax deposit is to be transferred to the account of transferee.

The financial statement of Stark and Todd, Inc., as of November 30, 1947, is as follows:

STARK & TODD, INCORPORATED

Financial Statement as of November 30, 1947

ASSETS:

Colorado Savings & Trust	\$ 149.38
Lamar 1st National Bank	4410.73
Working Fund	150.00
Special Deposits	1063.51
Accounts Receivable	5248.13
Carrier Operating Equipment	25015.84
Franchise-Permits	25000.00
Prepayments	<u>632.42</u>

Total Assets . . . . . \$61,670.01

LIABILITIES:

Accrued Taxes - Accounts Payable	2921.42	
Depreciation Reserve	<u>12857.30</u>	\$15,778.72

NET WORTH-SURPLUS

Capital Stock Outstanding	\$42600.00
Surplus Deficit 1946	288.16
Net Profit for Year 1947 to Date	<u>3579.45</u>

Total Net Worth - Surplus - \$45,891.29

TOTAL LIABILITIES - NET WORTH \$61,670.01

The operating experience and pecuniary responsibility of transferee were established to the satisfaction of the Commission. The matter was taken under advisement.

After careful consideration of the record, the Commission is of the opinion, and finds, that said transfer should be authorized.

O R D E R

THE COMMISSION ORDERS:

1. That W. K. Carroll, Route 2, Box 756, Pueblo, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to Certificates PUC-370 and PUC-370-I to Stark and Todd, Inc., of La Junta, Colorado, subject to restrictions and conditions, if any, in orders granting said authority, said transferee to secure payment of the balance of purchase price by chattel mortgage on said certificates.

That the tariff of rates, rules, and regulations of the transferor shall become and remain those of the transferee until changed according to law and the rules and regulations of this Commission.

2. That W. K. Carroll, Route 2, Box 756, Pueblo, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to Certificates PUC No. 474 and PUC 474-I to Stark and Todd, Inc., of La Junta, Colorado, subject to restrictions and conditions, if any, contained in orders granting said authorities, said transferee to secure payment of the balance of purchase price by chattel mortgage on said certificates.

That the tariff of rates, rules, and regulations of the transferor shall become and remain those of the transferee until changed according to law and the rules and regulations of this Commission.

That ton-mile tax deposits of transferor shall be transferred and credited to the account of the transferee herein.

That the right of transfer granted herein is subject to the provisions of the Federal Motor Carrier Act of 1935.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

DATED at Denver, Colorado,  
this 3d day of March, 1948.

*Malcolm Erickson*  
*Ralph C. Hinton*  
*John R. Barry*  
Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
IRIS HERBERTSON, 4855 BEACH COURT, )  
DENVER, COLORADO, FOR AUTHORITY TO )  
EXTEND OPERATIONS UNDER PERMIT NO. )  
B-2368. )  
-----

APPLICATION NO. 9095-PP-Extension

-----  
March 3, 1948  
-----

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to extend operations under Permit No. B-2368 to include the right to transport sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado, to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of authority, limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Iris Herbertson, Denver, Colorado, be, and hereby is, authorized to extend operations under Permit No. B-2368 to include the right to transport sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado, to road and building construction jobs within a radius of



fifty miles of said pits and supply points, excluding service in  
Boulder, Clear Creek, and Gilpin Counties.

This order is made a part of the permit granted to applicant.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Malcom Erickson*

*Ralph C. Nolan*

*John R. Barry*  
Commissioners

Dated at Denver, Colorado,  
this 3rd day of March, 1948.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
BERT BROM, DOING BUSINESS AS "BROM )  
TRANSFER AND STORAGE," MONTE VISTA, )  
COLORADO, FOR AUTHORITY TO TRANSFER )  
PUC NO. 1192 TO BERT BROM, JR., DO- )  
ING BUSINESS AS "BROM TRANSFER AND )  
STORAGE," MONTE VISTA, COLORADO. )  
-----

APPLICATION NO. 9094-Transfer

-----  
March 3, 1948  
-----

Appearances: Conour and Conour, Esqs.,  
Del Norte, Colorado, for  
applicants.

S T A T E M E N T

By the Commission:

By Decision No. 11322, of date February 2, 1938, Bert Brom, doing business as "Brom Transfer and Storage," Monte Vista, Colorado, was granted a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire for the transportation, not on schedule, of:

used household goods, office and store equipment and fixtures, trunks and baggage, into, out of, and between points in Rio Grande County and Center, Colorado, said authority not to be transferable,

said decision, on March 23, 1944 (Decision No. 22085) being amended by striking therefrom the provision "provided that this authority shall not be transferable."

By the instant application, said certificate-holder seeks authority to transfer said operating rights to Bert Brom, Jr., doing business as "Brom Transfer and Storage," Monte Vista, Colorado.

Inasmuch as the files of the Commission and the application herein show that said certificate is in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to account

of transferee; that there are no outstanding unpaid operating obligations against said certificate; that transferee, pecuniarily and otherwise, is able and qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said certificate, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

#### F I N D I N G S

##### THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to outstanding indebtedness, if any.

#### O R D E R

##### THE COMMISSION ORDERS:

That Bert Brom, doing business as "Brom Transfer and Storage," Monte Vista, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 1192 -- being the operating rights granted by Decision No. 11322, as amended by Decision No. 22085 -- to Bert Brom, Jr., doing business as "Brom Transfer and Storage," Monte Vista, Colorado, subject to payment of outstanding indebtedness secured by mortgage, or otherwise, if any there be.

The tariff of rates, rules and regulations of transferor shall become and remain those of transferee until changed according to law and the rules and regulations of this Commission.

That ton-mile tax deposit be transferred to account of transferee.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Malcolm Erickson*

*Ralph C. Hutton*

*John R. Barry*  
Commissioners

Dated at Denver, Colorado,  
this 3rd day of March, 1948.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JOHN B. WINDECKER, DOING BUSINESS )  
AS "WINDECKER TRUCK LINE," PINE, )  
COLORADO, FOR A CERTIFICATE OF PUB- )  
LIC CONVENIENCE AND NECESSITY. )  
-----

APPLICATION NO. 8692-Extension  
SUPPLEMENTAL ORDER

-----  
March 3, 1948  
-----

Appearances: Worth Allen, Esq., Denver,  
Colorado, for applicant.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Worth Allen, attorney for applicant, under date of November 5, 1947, concerning the John B. Windecker Application, No. 8692, which is as follows:

"The certificate granted on October 31st contains the following language:

"'provided that no service shall be conducted along U. S. Highway No. 285.'

"Mr. Windecker respectfully takes the position that since his application was not so limited, and there was no objection thereto by any other carrier, the said language should be omitted, particularly since he is not going to conduct any scheduled or regular service. Moreover, the similar language found in the original certificate granted to him and to his brother, reads as follows:

"' provided that the applicant will not conduct any transportation service along highway 85.'

"He informs me that U. S. Highway 285 was formerly Highway 8. You will note in paragraph 2 of the last application on which the certificate was issued, that the territory sought to be serviced by Windecker contains the following language: 'thence along U. S. Highway No. 285 (formerly Highway 8) to Conifer Junction.'

"In other words, his position is first, that no such restrictive language of any kind should be included, and second, that if such language should be included, it should relate to Highway 85 and not to 285.

"Hence, we respectfully ask that the order be amended."

## F I N D I N G S

After careful check of the record in the instant matter, it is apparent that through some error the figure "285" -- the last word in the second paragraph of said order -- should read "85."

That our Order and Decision No. 29211, dated October 31, 1947, should be amended and corrected, as of the 31st day of October, 1947, by changing the second paragraph in said decision to read:

"Beginning at Waterton; thence south via South Platte River to Deckers; thence west and north via public highways to Buffalo, Estabrook and Bailey; thence along U. S. Highway No. 285 (formerly Highway 8) to Conifer Junction; thence east by public road to Critchell; thence east by airline to Waterton, the place of beginning, and between all points in said area and all other points in the State of Colorado, provided that no service shall be conducted along U. S. Highway No. 85."

## O R D E R

### THE COMMISSION ORDERS:

That the second paragraph of the Order, on Page 3 of Decision No. 29211, describing the authority, be, and it is hereby, amended, as of the 31st day of October, 1947, to read:

"Beginning at Waterton; thence south via South Platte River to Deckers; thence west and north via public highways to Buffalo, Estabrook and Bailey; thence along U. S. Highway No. 285 (formerly Highway 8) to Conifer Junction; thence east by public road to Critchell; thence east by airline to Waterton, the place of beginning, and between all points in said area and all other points in the State of Colorado, provided that no service shall be conducted along U. S. Highway No. 85,"

in lieu of said paragraph as it now appears in said Decision No. 29211, and that said order, in all other respects, shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Malcolm Erickson*

*Ralph C. Horton*  
*John R. Barry*  
Commissioners

Dated at Denver, Colorado,  
this 3rd day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
RAYMOND G. MC GINTIE, BOX 86, IDAHO )  
SPRINGS, COLORADO, FOR A CERTIFICATE )  
OF PUBLIC CONVENIENCE AND NECESSITY )  
TO OPERATE AS A COMMON CARRIER BY )  
MOTOR VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 9056

-----  
March 3, 1948  
-----

Appearances: Raymond G. McGintie, Idaho  
Springs, Colorado, pro se.

S T A T E M E N T

By the Commission:

On January 8, 1948, Raymond G. McGintie, of Idaho Springs, Colorado, applicant herein, filed his application for a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire for the transportation of ashes, trash, and garbage in the City of Idaho Springs, Colorado, and within a five-mile radius thereof.

The matter was set for hearing, and heard, at 330 State Office Building, Denver, Colorado, on February 18, 1948, and there taken under advisement.

At the hearing, the evidence disclosed that applicant is qualified, financially and by experience to carry on his proposed operation. It further appears that there is no common carrier in Idaho Springs taking care of this haul, and that there is a demand and need for applicant's proposed service.

No one appeared protesting the granting of the application.

F I N D I N G S

After careful consideration of the record, the Commission is of the opinion, and finds, that the public convenience and necessity



require the granting of the instant application, and that a certificate of public convenience and necessity should issue therefor.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the common carrier motor vehicle service of Raymond G. McGintie, Idaho Springs, Colorado, for the transportation of ashes, trash, and garbage, within the City of Idaho Springs, Colorado, and between points and places within a five-mile radius of Idaho Springs, and this order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.


Applicant shall file tariffs of rates, rules and regulations, as required by the rules and regulations of this Commission, within twenty (20) days from date.

The applicant shall operate his carrier system in accordance with the order of the Commission, except when prevented by Act of God, the public enemy, or extreme conditions.

This order is subject to compliance by applicant with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Malcom Erickson  
Ralph C. Hatcher  
John R. Barry  
Commissioners

Dated at Denver, Colorado,  
this 3rd day of March, 1948.

original

(Decision No. 30033)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
C. J. MOBERLY AND HARRY E. MEININGER,  
DOING BUSINESS AS "THE SAN MIGUEL  
STAGES," AND P. C. MOSHISKY, RECEIVER  
OF THE PROPERTY AND ASSETS OF C. J.  
MOBERLY AND HARRY E. MEININGER, DOING  
BUSINESS AS "THE SAN MIGUEL STAGES,"  
TO TRANSFER PERMIT A-381 TO BUTTIS  
BROS. AND HARTMAN BROS., MONTROSE,  
COLORADO.

APPLICATION NO. 8932-PP-Transfer

SUPPLEMENTAL ORDER

March 3, 1948

STATEMENT

By the Commission:

It has come to the attention of the Commission, in our Decision No. 29797, that the name of S. C. Hartman was omitted as one of the co-partners of the transferees herein through typographical error.

After reviewing the record in the above matter, the Commission can see no good reason why our said Decision No. 29797 should not be amended to include the name of S. C. Hartman as one of the co-partnership.

FINDINGS

THE COMMISSION FINDS:

That the first paragraph of the Order, beginning on page 2 and extending on to page 3, be amended by inserting after the name F. J. Hartman, the last word in line 3 on page 3, the name of S. C. Hartman.

ORDER

THE COMMISSION ORDERS:

That Decision No. 29797 should be, and it hereby is, amended ~~nunc pro tunc~~ as of the 21st day of January, 1948, by inserting, after the name of F. J. Hartman, found as the last word on line 3 of page 3 of the above-named decision, the name of S. C. Hartman.

That, except as hereinbefore amended, said Decision No. 29797  
shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Watson

John R. Barry  
Commissioners.

Dated at Denver, Colorado,  
this 3rd day of March, 1948.

ea



original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
E. M. STAGE, DOING BUSINESS AS "BOB  
STAGE TRANSPORTATION COMPANY," 2855  
WALNUT STREET, DENVER, COLORADO, FOR  
AN EXTENSION OF PERMIT A-122.

APPLICATION NO. 9052-PP-Extension.

IN THE MATTER OF THE APPLICATION OF  
E. M. STAGE, DOING BUSINESS AS "BOB  
STAGE TRANSPORTATION COMPANY," 2855  
WALNUT STREET, DENVER, COLORADO, TO  
TRANSFER PERMIT A-122, AS EXTENDED,  
TO E. M. STAGE AND KENNETH TRENBERTH,  
DOING BUSINESS AS "BOB STAGE TRANS-  
PORTATION COMPANY," 2855 WALNUT STREET,  
DENVER, COLORADO.

APPLICATION NO. 9053-PP-Transfer.

March 3, 1948

Appearances: Truman A. Stockton, Jr., Esq.,  
for E. M. Stage and Kenneth  
Trenberth, DBA Bob Stage Trans-  
portation Company;  
Worth Allen, Esq., Denver, Colo-  
rado, for The Nelson Truck Line;  
A. J. Fregeau, Denver, Colorado,  
for Weicker Transfer and Storage  
Company.

STATEMENT

By the Commission:

On July 30, 1931, D. J. Donnelly was authorized to operate as  
a Class "A" private carrier by motor vehicle for hire for the transportation  
of freight between Denver and Idaho Springs, Colorado, and Permit A-122  
issued to him.

On February 11, 1936, the Commission, by Decision No. 7181,  
authorized transfer of Permit A-122 to Donnelly's, Inc., a Colorado corpor-  
ation, and on July 21, 1941, by Decision No. 17401, Donnelly's, Inc., was  
authorized to extend its operations as follows:

" . . . to include the right to transport coal and  
powder, only, from the rail head at Golden or the  
spur switch of the Denver and Intermountain Rail-  
road Company, located approximately two miles south-  
east of Golden, to Idaho Springs and points within

a radius of two miles of the corporate limits thereof, including the right to extend his delivery of freight from Denver to points within a radius of two miles of the corporate limits of Idaho Springs for the following customers, only: Mines Supply Company, the Alma-Lincoln Mining Company, and Phoenix Mining Company, all of Idaho Springs, and for the delivery of freight from Denver to customers beyond the corporate limits of Idaho Springs, and within said two mile radius, no further customers may be added by applicant without the consent of the Commission after due notice and hearing."

By Decision No. 27987, dated April 7, 1947, authority was granted to transfer said permit to E. M. Stage, doing business as "Bob Stage Cartage Company," 2855 Walnut Street, Denver, Colorado.

On September 5, 1947, by Decision No. 29004, Permit A-122 was extended to include "authority to serve intermediate points between the foot of Mount Vernon Canon and Idaho Springs; also authority to serve the off-point of Bergen Park, hauling the same commodities as presently authorized."

On January 13, 1948, E. M. Stage, the applicant herein, by his application seeks authority to extend his present authority to include service from Idaho Springs to Lawson and intermediate points, and return, on U. S. Highways Nos. 6 and 40, for the same commodities as now authorized.

In Application No. 9053-PP, E. M. Stage, doing business as "Bob Stage Cartage Company," seeks authority to transfer Permit No. A-122, as extended, to E. M. Stage and Kenneth Trenberth, doing business as "Bob Stage Transportation Company," 2855 Walnut Street, Denver, Colorado.

Both applications were set for hearing, and heard, at 330 State Office Building, Denver, Colorado, on February 18, 1948.

At the hearing, the applications were consolidated, heard, and taken under advisement.

At the hearing, the evidence disclosed that Bob Stage is presently operating a line-haul service between Denver and Idaho Springs, Colorado; that he has approximately 600 customers and would like to extend his territory so that he can include Lawson and intermediate points. He states that he has customers who have requested his service to Lawson, Dupont and Downer;

that there are also prospective customers residing in the points served who have also requested service which he would like to give.

Mr. Kenneth J. Trenberth, who resides at Idaho Springs, who, in Application No. 9053-PP is asking permission of this Commission to acquire an interest in private carrier Permit No. A-122, also testified as to requests by prospective customers for service.

George A. Sumner, of the Nelson Truck Line, who operates under PUC-1758, and is presently serving between Idaho Springs, Lawson and intermediate points, very vigorously protested the granting of the extension, contending that the granting of this application would so impair his operation that he would be forced to curtail his service, and possibly might bring about an abandonment of his operation. He says that his present line-haul service is operating upon a very narrow margin.

The Commission is convinced from the evidence before it, that any business taken away from the line-haul service of Nelson Brothers would impair the efficiency of their common carrier service. Rule 5 of the Rules and Regulations Governing Private Carriers for Hire by Motor Vehicle provides:

"No application for authority to operate as a private carrier by motor vehicle in intrastate commerce or for authority to extend or enlarge an existing permit will be granted as a matter of course, nor will any such application be granted if the Commission shall be of the opinion, after hearing, that the proposed operation will impair the efficient public service of any authorized motor vehicle common carrier or carriers then adequately serving the same territory over the same general highway route or routes."

In Application No. 9053-PP, the evidence disclosed that the consideration for the transfer of an undivided one-half interest of said permit, and some equipment, is the sum of \$1,100.00, payable on authorization by the Commission of the transfer. It also appeared that there are no outstanding unpaid obligations against said operation except current bills, which transferor will pay, and in the event of non-payment, the transferees agree to assume the same.



That the ton-mile tax deposit is to be transferred to the account of the transferees herein.

It also appears that both members of the co-partnership are well qualified by experience, and the financial condition of the partnership appears satisfactory to the Commission.

### FINDINGS

#### THE COMMISSION FINDS:

1. That the application for an extension of private carrier Permit No. A-122 should be denied for the reason that the granting of the proposed extension would, in the judgment of the Commission, impair the efficiency of common carrier service now authorized to serve the area, as more fully discussed in the statement preceding.

2. The Commission, after careful consideration of the record and the evidence, is of the opinion, and finds, that the transfer sought in Application No. 9053-PP should be granted.

### ORDER

#### THE COMMISSION ORDERS:

1. That the application for an extension of private carrier Permit No. A-122, in Application No. 9052-PP, should be, and the same is hereby, denied.

2. That E. M. Stage, doing business as "Bob Stage Cartage Company," 2855 Walnut Street, Denver, Colorado, be, and he hereby is, authorized to transfer all his right, title and interest in and to Permit No. A-122 to E. M. Stage and Kenneth Trenberth, doing business as "Bob Stage Transportation Company," 2855 Walnut Street, Denver, Colorado.

That the ton-mile tax deposit of transferor shall be transferred and credited to the account of the transferees herein.

That the right of transferees to operate under this order shall depend upon their compliance with all present and future laws and rules and regulations of the Commission.

That this order is made a part of the permit authorized to be

transferred, and shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Horton

John R. Barry  
Commissioners.

Dated at Denver, Colorado,  
this 3rd day of March, 1948.

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BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF )	
WILLIS TURNER, OF SAGUACHE, COLO- )	
RADO, FOR A CLASS "B" PERMIT TO )	APPLICATION NO. 8979-PP.
OPERATE AS A PRIVATE CARRIER BY )	
MOTOR VEHICLE FOR HIRE. )	
----- )	

-----  
March 3, 1948  
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Appearances: Willis Turner, Saguache,  
Colorado, pro se;  
Conour and Conour, Esqs.,  
Del Norte, Colorado, for  
J. P. Weiderkehr & Sons,  
and C. H. Phillips;  
M. M. Marshall, Esq., Ala-  
mosa, Colorado, for  
McCormick Brothers.

S T A T E M E N T

By the Commission:

On December 15, 1947, the applicant herein filed his appli-  
cation for a Class "B" permit to operate as a private carrier by motor  
vehicle for hire for the transportation of coal from Fremont County coal  
fields to Saguache; sand and gravel between points within a radius of  
50 miles of Saguache; farm produce (no livestock) from farms within a  
radius of 15 miles of Center to storage and shipping points within said  
15-mile radius.

The matter was set for hearing, and heard, January 23, 1948,  
at the Court House in Alamosa, Colorado, and there taken under advisement.

At the hearing, the evidence disclosed that applicant is  
desirous of hauling coal, sand and gravel in the Saguache area, and farm  
produce in the Center area.

The Commission, during the past few months, has heard many appli-  
cations for farm service, and we have been granting authority for farm  
service in the Center area because common carrier service has been inadequate



in that area; however, to the west of Center, J. P. Weiderkehr has been protesting the hauling from all points beyond a four-mile radius.

Rule 5 of the Rules and Regulations Governing Private Carriers For Hire by Motor Vehicle provides:

"No application for authority to operate as a private carrier by motor vehicle in intrastate commerce or for authority to extend or enlarge an existing permit will be granted as a matter of course, nor will any such application be granted if the Commission shall be of the opinion, after hearing, that the proposed operation will impair the efficient public service of any authorized motor vehicle common carrier or carriers then adequately serving the same territory over the same general highway route or routes."

We cannot say that the granting of the instant application, as hereinafter limited, will impair the service of common carriers now authorized to serve the area.

After careful consideration of the record, the Commission is of the opinion, and finds, that a limited permit should be granted.

#### ORDER

##### THE COMMISSION ORDERS:

That Willis Turner, of Saguache, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of coal from Fremont County coal fields to Saguache, Colorado; sand and gravel between points within a radius of 50 miles of Saguache, Colorado; farm produce (no livestock) between points within an area extending 15 miles north, 15 miles east, 4 miles west, and 12 miles south of Center, Colorado.

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers,

copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

That the right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Watson

John P. Barry  
Commissioners.

Dated at Denver, Colorado,  
this 3rd day of March, 1948.

ea



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF )  
W. A. HUTCHENS, 2275 HARLAN STREET, )  
DENVER, COLORADO, FOR EXTENSION OF )  
PERMIT NO. B-2987. )

APPLICATION NO. 9061-PP-Extension

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March 6, 1948  
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Appearances: W. A. Hutchens, Denver, Colo-  
rado, pro se;  
A. J. Fregeau, Denver, Colorado,  
for Weicker Transfer and  
Storage Company;  
Myron H. Burnett, Esq., Denver,  
Colorado, for The Colorado  
Motor Carriers' Association.

S T A T E M E N T

By the Commission:

By Decision No. 20213, dated December 21, 1942, applicant was  
granted authority as follows:

"Authorized to operate as a Class "B" private  
carrier by motor vehicle for hire for the trans-  
portation of buildings (erected and knocked down)  
between points within a radius of 75 miles of  
Denver, Colorado, and from and to points within  
said 75-mile radius, to and from other points in  
the State of Colorado; provided, however, that  
the authority herein granted is subject to the  
following restrictions: (a) this permit shall  
be non-transferable; (b) the authority herein  
granted shall only be effective for the duration  
of the War and six months' period thereafter."

On January 13, 1948, applicant herein asked that his certi-  
ficate be extended to include all points within the State of Colorado;  
also, that the restriction as to the six months' period after the dura-  
tion of the War, be removed from said authority, and that the restriction  
that the permit shall be non-transferable also be eliminated.

The matter was set down for hearing, and heard, at 330 State  
Office Building, Denver, Colorado, on the 19th day of February, 1948, and  
there taken under advisement.

At the hearing, the evidence disclosed that applicant has many requests by customers for whom he has performed services to move buildings beyond his present seventy-five-mile radius of Denver; that he also has had others, including former soldiers, school districts, etc., to move government building, camps, and cantonments to various points in the state. He also stated that, due to his present state of health, he may be forced to retire from business, and as he has at the present time a reasonable investment of approximately \$30,000.00 in special equipment for the movement of buildings, and that to dispose of this business if his health conditions require it, it is necessary that his authority be extended, and that the restriction as to duration and transfer be eliminated.

Protestants at the hearing offered no evidence protesting applicant's request, and the Commission assumes that they have no objections to the application, and that said authority, so extended, would not impair the efficiency of their present operations, or other common carriers authorized to serve the area.

After careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted for the reasons heretofore set forth in our Statement.

ORDER

THE COMMISSION ORDERS:

That W. A. Hutchens, Denver, Colorado, be, and he hereby is, authorized to extend and alter his present authority so that the authority under Permit No. B-2987 will be as follows:

Authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of erected or knocked down buildings between all points in the State of Colorado, without limitation as to time or restriction upon transfer.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Malcolm Erickson*  
*Ralph C. Hutton*  
*John R. Barry*  
Commissioners

Dated at Denver, Colorado,  
this 6th day of March, 1948.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF )  
JERRY K. BUTTERS, 3709 LAFAYETTE )  
STREET, DENVER, COLORADO, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )

APPLICATION NO. 9058-PP

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March 6, 1948  
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Appearances: Jerry K. Butters, Denver,  
Colorado, pro se;  
Harold D. Torgan, Esq.,  
Denver, Colorado, for  
Colorado Transfer and  
Warehousemen's Ass'n;  
Myron H. Burnett, Esq.,  
Denver, Colorado, for  
Common Carrier Division  
of The Colorado Motor  
Carriers' Association;  
Harold Swena, Golden, Colo-  
rado, pro se.

S T A T E M E N T

By the Commission:

On January 15, 1948, Jerry K. Butters, applicant herein, filed his application for a Class "B" permit to operate as a private carrier by motor vehicle for hire for the transportation of new and used furniture and floor coverings between points within a radius of ten miles of Denver, Colorado.

The application was set for hearing, and heard, at 330 State Office Building, Denver, Colorado, on February 19, 1948, and there taken under advisement.

At the hearing, the evidence disclosed that applicant is the owner of a 1946 one-half-ton Chevrolet Truck, and would like to operate a delivery service for the Barton Furniture Company, which operates two stores in Denver and one in Lakewood.

Applicant has no other customers requesting his service, but Mr. Charles J. Barton, one of the owners of the Barton Furniture Company, appeared before the Commission and testified that they were presently discontinuing their own delivery service, and would like to have the service of applicant to perform that service. Witness stated he felt that his company could keep the applicant busy most of the time performing their delivery service, the bulk of it would be performed in Denver, but that they would have trips beyond the City Limits, and that would be especially true for deliveries from the Lakewood store. Barton felt that the type of this delivery service could not be adequately and satisfactorily handled by common carrier service.

Harold Swena, of Golden, Colorado, appeared before the Commission and protested the granting of the application as set forth in his petition, but as limited by the testimony, the Commission cannot see, and we think Mr. Swena agrees, that authority limited to one truck of a half-ton capacity, doing business for the Barton Furniture Company, only, would not seriously impair his service, or the service of other common carriers now serving the area.

#### F I N D I N G S

After careful consideration of the record, the Commission is of the opinion, and finds, that the authority, as hereinafter limited, should be granted.

#### O R D E R

##### THE COMMISSION ORDERS:

That Jerry K. Butters, Denver, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of new and used furniture and floor coverings for the Barton Furniture Company, only, from its stores located at 1900 South Broadway, and 2743 Welton Street, in Denver, Colorado, and at Lakewood, Colorado, to their retail customers within a radius of ten miles of Denver, Colorado, said operation to be limited to the use of one one-half-ton truck.




All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, and the required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Malcolm Erickson  
Ralph C. Horton  
John R. Barry  
Commissioners

Dated at Denver, Colorado,  
this 6th day of March, 1948.

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BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICA- )  
TION OF MILES MILAN, ROGGEN, COLO- )  
RADO, FOR A CLASS "B" PERMIT TO )  
OPERATE AS A PRIVATE CARRIER BY )  
MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 9059-PP

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March 6, 1948  
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Appearances: Miles Milan, Roggen,  
Colorado, pro se;  
A. J. Fregeau, Denver,  
Colorado, for Weicker  
Transfer and Storage  
Company;  
Myron H. Burnett, Esq.,  
Denver, Colorado, for  
The Colorado Motor  
Carriers' Association,  
Common Carrier Division.

S T A T E M E N T

By the Commission:

On January 12, 1948, applicant herein filed his application for a Class "B" permit to operate as a private carrier by motor vehicle for hire for the transportation of buildings between points within a radius of thirty-five miles of Keenesburg, Colorado, excluding Denver, Colorado.

The application was set for hearing, and heard, at 330 State Office Building, Denver, Colorado, on February 19, 1948, and there taken under advisement.

At the hearing, the evidence disclosed that applicant is the owner of a two and one-half-ton White Truck, together with dollies, timbers, jacks, etc., used in moving buildings, and has had considerable experience in this type of work.

Applicant stated he would like to serve an area extending sixteen miles west, twenty miles east, ten miles north, and twenty miles south of Keenesburg, Colorado; that he has several prospective customers

who have requested his service for moving small farm buildings in the above-described area, and that he has a net worth of approximately \$3,500.00.

No testimony was introduced on behalf of protestants, and it would appear from the record that the granting of this permit, as limited by the evidence introduced at the hearing, would not impair the service of common carriers now authorized to serve the area.

After careful consideration of the record, the Commission is of the opinion, and finds, that permit, as hereinafter limited, should be granted.

#### ORDER

##### THE COMMISSION ORDERS:

That Miles Milan, of Roggen, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation and moving of buildings between points within an area extending sixteen miles west, twenty miles east, ten miles north, and twenty miles south of Keenesburg, Colorado.

All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, and the required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Malcolm Erickson*  
*Ralph C. Hartman*  
*John R. Barry*  
Commissioners

Dated at Denver, Colorado,  
this 6th day of March, 1948.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
PUBLIC SERVICE COMPANY OF COLORADO )  
FOR A CERTIFICATE OF PUBLIC CONVEN- )  
IENCE AND NECESSITY TO EXERCISE )  
FRANCHISE RIGHTS IN THE TOWN OF )  
WINDSOR, COUNTY OF WELD, STATE OF )  
COLORADO, FOR THE PURCHASE, MANU- )  
FACTURE, GENERATION, TRANSMISSION, )  
DISTRIBUTION, AND SALE OF ELECTRICAL )  
ENERGY AND GAS. )  
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APPLICATION NO. 8996  
SUPPLEMENTAL ORDER

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March 6, 1948  
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Appearances: Lee, Shaw and McCreery, Esqs.,  
Denver, Colorado, and  
Charles J. Kelly, Esq., Denver,  
Colorado, for applicant;  
C. I. Flower, Denver, Colorado,  
of The Public Utilities Com-  
mission of the State of Colo-  
rado, for the Commission.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a Petition for Amendment of Decision No. 29800, under date of February 13, 1948, from Public Service Company of Colorado, wherein they request that the Order of the Commission, Decision No. 29800, be amended to read as follows:

"That present and future public convenience and necessity require, and will require, the exercise by applicant of franchise rights granted to it by the Board of Trustees of the Town of Windsor, Weld County, State of Colorado, in and by Ordinance No. N. S. 247, a copy of which is attached to the application herein, and which, by reference is made a part hereof, and this order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor, and to supply electric service and gas service, either natural, artificial, or mixed, in the territory adjacent thereto.

"With respect to electric service, applicant's rate schedules, rules and regulations are now on file with the Commission, and its books and accounts are set up in agreement with the Uniform

Classifications of Accounts; its practices as to testing, consumers' deposits and operations, records of meters, transformers and complaints are in compliance with the Commission's requirements. With respect to gas service, applicant shall file its rate schedules, rules and regulations, set up its books and accounts in agreement with the Uniform Classifications of Accounts, and bring all its practices as to testing, consumers' deposits and operations, records of meters, and complaints into compliance with the Commission's requirements not less than thirty days before gas service is made available to the Town of Windsor and the inhabitants thereof.

"Failure of applicant to comply as above ordered shall nullify and automatically revoke at the end of said period the authorization herein granted, but subject to any further action or modification the Commission may order.

"This order shall become effective twenty days from date."

After reviewing the record in the above application, it appears that the proposed order, as set forth by applicant, more clearly sets forth the needs in the above-entitled matter, and the intentions of the Commission and Petition for Amendment of Decision No. 29800 should be granted.

#### F I N D I N G S

##### THE COMMISSION FINDS:

That our Order and Decision No. 29800, dated January 22, 1948, should be amended and corrected, as of the 22nd day of January, 1948, by striking from said Decision the Order of said Commission, being the last four paragraphs of said decision, on Page 3 thereof, and substituting in lieu thereof the Order as hereinafter set forth.

#### O R D E R

##### THE COMMISSION ORDERS:

That the Order and Decision No. 29800 be amended and corrected, as of the 22nd day of January, 1948, by striking from said decision the Order therein contained, being the last four paragraphs of said decision on Page 3 thereof, as follows:

"That present and future public convenience and necessity require, and will require, the exercise by applicant of franchise rights granted to it by the Board of Trustees of the Town of Windsor, Weld County, Colorado, in and by



Ordinance No. N. S. 247, copy of which is attached to the application herein, and which, by reference, is made a part hereof, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

"Applicant shall file its rate schedules, rules and regulations, set up its books and accounts in agreement with the Uniform Classifications of Accounts, and bring all its practices as to testing, consumers' deposits and operations, records of meters, transformers and complaints into compliance with the Commission's requirements, within twenty days from date.

"Failure of applicant to comply as above ordered shall nullify and automatically revoke at the end of said period the authorization herein granted, but subject to any further action or modification the Commission may order.

"This order shall become effective twenty days from date."

and that the following be substituted in lieu thereof:

That present and future public convenience and necessity require, and will require, the exercise by applicant of franchise rights granted to it by the Board of Trustees of the Town of Windsor, Weld County, State of Colorado, in and by Ordinance No. N. S. 247, a copy of which is attached to the application herein, and which, by reference, is made a part hereof, and this order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor, and to supply electric service and gas service, either natural artificial or mixed, in the territory adjacent thereto.

With respect to electric service, applicant's rate schedules, rules and regulations are now on file with the Commission, and its books and accounts are set up in agreement with the Uniform Classifications of Accounts; its practices as to testing, consumers' deposits and operations, records of meters, transformers and complaints are in compliance with the Commission's requirements. With respect to gas service, applicant shall file its rate schedules, rules and regulations, set up its books and accounts in agreement with the Uniform Classifications of Accounts, and bring all its practices as to testing, consumers' deposits and operations, records of meters, and complaints into compliance with the Commission's requirements not less than thirty days before gas service is made available to the Town of Windsor and the inhabitants thereof.

Failure of applicant to comply as above ordered shall nullify and automatically revoke at the end of said period the authorization herein granted, but subject to any further action or modification of the Commission.

This order shall become effective twenty days from date.

That said order, in all other respects, shall remain in full  
force and effect.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Hutton

John R. Barry  
Commissioners

Dated at Denver, Colorado,  
this 6th day of March, 1948.

HW



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
DAVID SMALL, BENNETT, COLORADO, FOR )  
AUTHORITY TO TRANSFER PUC NO. 273 )  
TO CECIL A. FOSTER, DOING BUSINESS )  
AS "FOSTER TRUCK LINE," 1940 WAZEE )  
STREET, DENVER, COLORADO. )  
-----

APPLICATION NO. 9071-Transfer

-----  
March 6, 1948  
-----

Appearances: Jones and Stauffer, Esqs.,  
Denver, Colorado, for  
applicants;  
A. J. Fregeau, Denver, Colo-  
rado, for Weicker Transfer  
and Storage Company.

S T A T E M E N T

By the Commission:

David Small, transferor herein, is the owner of PUC No. 273,  
which authorizes the following service, to-wit:

Transportation of freight, on schedule, be-  
tween Strasburg, Colorado, and Denver, Colo-  
rado, and intermediate points, over U. S.  
Highway No. 40, and in connection therewith,  
to transport milk, cream, poultry and eggs  
between Denver and points in the territory  
described as: between Denver, on the one  
hand, and, on the other, the territory bounded  
on the east by Bijou Creek, on the north by  
the north line of Adams County, on the west  
by the highways which run north and south  
from Bennett, Colorado — that is to say,  
by (a) the highway which runs north from  
Bennett to connect (in Weld County) with  
State Highway No. 52, and (b) the highway  
which runs south from Bennett to Kiowa (in  
Elbert County) and on the south by the east  
and west township line between Townships 6  
and 7-South, which line lies six miles, more  
or less, south of the north line of Elbert  
County, over U. S. Highway No. 40, between  
Denver and Strasburg, with back-haul of  
empty cans, cartons and crates, and with  
the right to serve all intermediate points.

He now seeks authority to transfer that portion of his PUC No.

273 authorizing:

transportation of freight on schedule between Strasburg, Colorado, and Denver, Colorado, and intermediate points, over U. S. Highway No. 40,

to Cecil A. Foster, doing business as "Foster Truck Line," Denver, Colorado.

Applicant, however, would like to retain the authority to transport milk and cream between Denver and points in the territory described as:

Between Denver, on the one hand, and, on the other, the territory bounded on the east by Bijou Creek, on the north by the north line of Adams County, on the west by the highways which run north and south from Bennett, Colorado -- that is to say, by (a) the highway which runs north from Bennett to connect (in Weld County) with State Highway No. 52, and (b) the highway which runs south from Bennett to Kiowa (in Elbert County), and on the south by the east and west township line between Townships 6 and 7-South, which line lies six miles, more or less, south of the north line of Elbert County, over U. S. Highway No. 40, between Denver and Strasburg, with back-haul of empty cans and containers, with the right to serve intermediate points,

and asks that said authority be consolidated with his PUC No. 599.

Transferor Small stated he has no desire to haul poultry and eggs as the Health Department will not permit the hauling of poultry, etc., in the same truck with milk, and requests that said service be deleted from his authority.

At the hearing, in Denver, Colorado, on February 24, 1948, it appeared that the consideration for the transfer of PUC No. 273 (excluding milk haul) is the sum of Five Thousand Dollars (\$5,000.00); \$500.00 of which has been paid in cash; \$2,500.00 on approval of the transfer of said certificate by the Commission; the balance of \$2,000.00 payable in equal installments over a period of twenty-four months carrying interest at five percent per annum on the unpaid installments.

It also appeared that there are no outstanding unpaid obligations against said operation, and the transferor has operated continuously under said certificate since August, 1944.

Transferee, Cecil A. Foster, doing business as "Foster Truck Line," is presently the owner of PUC No. 72, and is now operating a line-



haul service, and is well qualified by experience, and otherwise, to handle the line-haul operation.

The matter was taken under advisement.

It would appear to the Commission that transfer of the line-haul service would be in the public interest, as the operation can be run in conjunction with the Foster Truck Line.

After careful consideration of the record, the Commission is of the opinion, and finds, that said transfer should be authorized, for the reasons heretofore given.

#### O R D E R

##### THE COMMISSION ORDERS:

1. That David Small, Bennett, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to that portion of PUC No. 273 to Cecil A. Foster, doing business as "Foster Truck Line," Denver, Colorado, authorizing the transportation of freight on schedule between Strasburg, Colorado, and Denver, Colorado, and intermediate points, over U. S. Highway No. 40, said operating rights, in the future, to be known as "PUC No. 273." Permission hereby is given to transferee to secure payment of balance of purchase price by chattel mortgage on said certificate, if it is so desired.

2. That that portion of PUC No. 273 retained by David Small, authorizing the transportation of milk and cream between Denver and points in the territory described as:

between Denver, on the one hand, and, on the other, the territory bounded on the east by Bijou Creek, on the north by the north line of Adams County, on the west by the highways which run north and south from Bennett, Colorado, that is to say, by (a) the highway which runs north from Bennett to connect (in Weld County) with State Highway No. 52, and (b) the highway which runs south from Bennett to Kiowa (in Elbert County), and on the south by the east and west township line between Townships 6 and 7-South, which line lies six miles, more or less, south of the north line of Elbert County, over U. S. Highway No. 40, between Denver and Strasburg, with back-haul of empty cans and containers, with the right to serve intermediate points,

shall be consolidated with PUC No. 599, owned by David Small, of Bennett, Colorado.



3. That transportation of poultry and eggs be, and the same hereby is, deleted from the authority held and retained by the said David Small.

The tariff of rates, rules, and regulations of transferor shall become and remain those of transferee until changed, according to law and the rules and regulations of this Commission.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph G. Hottel

John R. Barry  
Commissioners

Dated at Denver, Colorado,  
this 6th day of March, 1948.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
FREDERIC A. BETHKE, DOING BUSINESS )  
AS "BETHKE TRUCK LINES," GILCREST, )  
COLORADO, TO LEASE A PORTION OF CER- )  
TIFICATE NO. 557 TO JOHN J. TISONE, )  
DON T. TISONE, ANTHONY F. TISONE AND )  
WILLIAM T. BULLARD, DOING BUSINESS )  
AS "PIONEER TRUCKING COMPANY," )  
BOULDER, COLORADO. )  
----- )

APPLICATION NO. 9068  
(Lease of Portion of  
PUC No. 557.)

-----  
March 6, 1948  
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Appearances: Jones and Stauffer, Esqs.,  
Denver, Colorado, for  
applicants.

STATEMENT

By the Commission:

The above matter was set for hearing February 25, 1948, at 330 State Office Building, Denver, Colorado. When the above matter was called for hearing, the attorney for applicants requested that the application be dismissed.

The Commission can see no good reason why said request should not be granted.

After careful consideration of the record, the Commission is of the opinion, and finds, that Application No. 9068 should be dismissed.

ORDER

THE COMMISSION ORDERS:

That Application No. 9068 be, and the same is hereby, dismissed.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcom Erickson

Boyd C. Norton  
John R. Barry  
Commissioners.

Dated at Denver, Colorado,  
this 6th day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
RAY GAMMEL AND VICTOR GAMMEL, CO- )  
PARTNERS, DOING BUSINESS AS "GAMMEL )  
BROTHERS," 4421 CAHITA COURT, DEN- )  
VER, COLORADO, FOR AUTHORITY TO EX- )  
TEND OPERATIONS UNDER PERMIT NO. )  
B-3410. )  
----- )

APPLICATION NO 8764-PP-Extension.

SUPPLEMENTAL ORDER

-----  
March 6, 1948  
-----

S T A T E M E N T

By the Commission:

On October 27, 1947, by Decision No. 29180, applicants  
herein were authorized to extend operations under Permit No. B-3410  
to include the right to transport:

coal from mines in the northern Colorado  
coal fields to Great Western Sugar Company  
Plants, located at Brighton, Fort Lupton,  
Johnstown, Longmont, Loveland, and Greeley,  
Colorado, and to Rocky Mountain Arsenal,  
located northeast of Denver, Colorado.

It now appears that applicants also desired authority to  
transport coal from mines in the northern Colorado coal fields to  
Valmont Plant of Public Service Company, near Boulder, Colorado,  
and it appears that said Decision No. 29180 should be amended to  
include such authority.

F I N D I N G S

THE COMMISSION FINDS:

That Decision No. 29180, of date October 27, 1947, should  
be amended, nunc pro tunc, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the Order contained in Decision No. 29180, of date  
October 27, 1947, be, and the same hereby is, amended, nunc pro tunc,

as of said 27th day of October, 1947 to read:

"That Ray Gammel and Victor Gammel, co-partners, doing business as 'Gammel Brothers,' Denver, Colorado, be, and they hereby are, authorized to extend operations under Permit No. B-3410 to include the right to transport coal from mines in the northern Colorado coal fields to Great Western Sugar Company Plants, located at Brighton, Fort Lupton, Johnstown, Longmont, Loveland, and Greeley, Colorado, and to Rocky Mountain Arsenal, located northeast of Denver, Colorado, and to Valmont Plant of Public Service Company, near Boulder, Colorado.

"This order is made a part of the permit granted to applicants, and shall become effective twenty (20) days from date."

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcom Erickson

James C. Horton

John R. Barry  
Commissioners.

Dated at Denver, Colorado,  
this 6th day of March, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
W. S. NICOLL, DOING BUSINESS AS  
"MC NICOLL WAREHOUSE CO.," 422 EAST  
VERMIJO STREET, COLORADO SPRINGS,  
COLORADO, FOR A CERTIFICATE OF PUB-  
LIC CONVENIENCE AND NECESSITY.

APPLICATION NO. 7007

March 4, 1948

Appearances: William S. Nicoll, Colorado  
Springs, Colorado, pro se;  
A. J. Fregeau, Denver, Colo-  
rado, for Weicker Transfer  
and Storage Company;  
A. A. Fisher, Denver, Colorado,  
for Railway Express Agency.

S T A T E M E N T

By the Commission:

By this application, W. S. Nicoll, doing business as "McNicoll Warehouse Co.," Colorado Springs, Colorado, seeks a certificate of public convenience and necessity for the operation of a transfer and cartage business for the pick up and delivery of commodities transported to and from his warehouse in Colorado Springs by transportation companies docking at his said warehouse, said service to be to and from his dock in Colorado Springs, from and to points within a radius of ten miles thereof.

The application was opposed by Weicker Transfer and Storage Company and Railway Express Agency, and following hearing, the matter was taken under advisement.

Through misunderstanding--the Commission being under the impression that Nicoll did not desire to prosecute this application--decision has been long delayed.

From the testimony, it appeared that Applicant Nicoll has constructed a large modern warehouse, with forty thousand square feet of storage space, in Colorado Springs, it being the only warehouse of its



kind in said city; that six truck lines engaged in line-haul service dock at his warehouse; that of this number, Wheelock, Santa Fe Trails, Los Angeles-Albuquerque, are interstate carriers, and on account of that fact, he has made application to the Interstate Commerce Commission for authority to haul freight in interstate commerce in the area indicated; that Denver-Pueblo Truck Line--being one of the intrastate carriers served by him--was furnishing its own pick-up and delivery service within the City, on account of inability to make satisfactory arrangements with authorized carriers in Colorado Springs to furnish such service; that authorized carriers include City Transfer, Wandell and Lowe, Cowan, and Weicker; that Weicker operates a line-haul service between Greeley, Trinidad, and Lamar, Colorado, and interchanges with a number of interstate carriers, thus being a competitor of trucking lines that want service from Nicoll; that City Transfer, Cowan, and Wandell and Lowe apparently are not interested in furnishing pick-up and delivery and dock service for truck lines; that primarily they are engaged in general cartage and transfer service in Colorado Springs and vicinity, and specialize in household goods moving; that he has been furnishing pick-up and delivery service for carriers mentioned within limits of Colorado Springs, a "home-rule city;" that freight received at his dock frequently is consigned to customers living in Cragmoor, Broadmoor, Ivy Wild, Manitou, and fringe territory around Colorado Springs, where he is not authorized to serve; that his warehouse is open at all times, and he has men on his dock that are available to load and unload freight any time truck lines want the service.

For Weicker Transfer and Storage Company, A. J. Fregeau testified that his company operates a line-haul service on schedule, between Colorado Springs and Broadmoor, Colorado Springs and Manitou, and Colorado Springs and Cragmoor, and that it, too, furnishes service continuously throughout each day to fringe territory adjoining, under its certificate of public convenience and necessity authorizing conduct of a general cartage and transfer business; that it makes numerous trips daily to Camp Carson, Peterson Field, El Paso Associates, Aircraft

Mechanics, and other points in the fringe area of Colorado Springs, delivering Weicker freight, and is in a position to, and willing to, serve other truck lines who want dock service and pick-up and delivery service; that its service has been satisfactory; that it has lost some business to Nicoll on account of a cut in rates by Nicoll.

It is true that Weicker Transfer and Storage Company, an experienced operator, within limits of its authority, is capable of furnishing the service sought by truck line customers of Nicoll from him. Its service no doubt would be excellent, but we think it is obvious that truck lines competing with Weicker in line-haul service would not want Weicker to handle their pick-up and delivery service. Obviously, Weicker believes that such operation is an important part of its line-haul service, because it furnishes its own pick-up and delivery service in Denver, Colorado Springs and Pueblo. It is not an unreasonable position for carriers to take that they prefer pick-up and delivery service from someone other than a competitor.

Also, here we have a situation where Nicoll is furnishing pick-up and delivery service for the carriers he seeks to serve in the fringe area around Colorado Springs. No doubt freight moving from and to points outside the City Limits where we have jurisdiction is comparatively small in volume, and primarily is moved from and to, to and from a few industries located immediately adjacent to the city. If they are to have a complete service from one carrier, it means that they must transfer their business-including the city business--to Weicker, since other qualified carriers are not interested, or we must grant the authority here sought. While Weicker's service no doubt is excellent, and we are confident that it would be furnished by Weicker without using the information thereby obtained to influence shippers using the service of carriers docking at Nicoll's warehouse in the selection of shipper's carrier, we think that carriers, within reason, should have the right to select their pick-up and delivery agent.

#### FINDINGS

Therefore, the Commission is of the opinion, and finds, that

public convenience and necessity require the proposed operation of applicant, as limited in the Order following, and that certificate of public convenience and necessity should issue therefor.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the proposed common carrier motor vehicle call and demand service of applicant for the transportation, in pick-up and delivery service, of freight from and to his warehouse in Colorado Springs, Colorado, to and from points within a radius of seven miles of Colorado Springs, Colorado, for motor vehicle common carriers docking at his warehouse, only, and this order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

Applicant shall file tariffs of rates, rules and regulations, as required by the rules and regulations of this Commission, within twenty (20) days from date.

Applicant shall operate his carrier system in accordance with the order of the Commission, except when prevented by Act of God, the public enemy, or extreme conditions.

This order is subject to compliance by Applicant with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Malcolm Erickson*

Dated at Denver, Colorado,  
this 4th day of March, 1948.

mw

*Ralph C. Norton*  
Commissioners

COMMISSIONER BARRY NOT PARTICIPATING.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
FULLER TRUCK LINE, INC., BRIGHTON, )  
COLORADO, FOR AUTHORITY TO TRANSFER, )  
BY LEASE, PUC NO. 23 TO CECIL A. )  
FOSTER, DOING BUSINESS AS "FOSTER )  
TRUCK LINE," 3214 NAVAJO STREET, )  
DENVER, COLORADO. )  
-----

APPLICATION NO. 9080-Transfer  
(APPLICATION NO. 9080-Lease)  
SUPPLEMENTAL ORDER

-----  
March 1, 1948  
-----

Appearances: Glenn L. Daly, Esq., Denver,  
Colorado, for applicants.

S T A T E M E N T

By the Commission:

By Decision No. 29995, of date February 24, 1948, Fuller Truck Line, Inc., Brighton, Colorado, was authorized to transfer PUC No. 23 to Cecil A. Foster, doing business as "Foster Truck Line," Denver, Colorado.

Examination of the application now discloses that Fuller Truck Line desired only to lease said operating rights and two pieces of equipment to Foster Truck Line, upon the terms and conditions set forth in copy of Lease Agreement attached to the application herein, viz., from date said agreement is approved by The Public Utilities Commission of the State of Colorado, until July 22, 1950, for a consideration of One Hundred Dollars (\$100.00) per month, payable in advance on the 22nd day of each month, beginning January 22, 1948.

F I N D I N G S

THE COMMISSION FINDS:

That Decision No. 29995, authorizing transfer of PUC No. 22, should be set aside, vacated, and held for naught.

That Lease Agreement entered into between parties herein should be approved, effective January 22, 1948.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 29995, of date February 24, 1948, be, and the same hereby is, vacated, set aside, and held for naught.

That Fuller Truck Line, Inc., a corporation, Brighton, Colorado, be, and it hereby is, authorized to lease PUC No. 23 — being the operating rights granted by Decisions Nos. 747 and 3185 — together with two pieces of equipment, to Cecil A. Foster, doing business as "Foster Truck Line," Denver, Colorado, upon the terms and conditions set forth in Lease Agreement entered into between said parties on January 21, 1948, copy of which was attached to the application herein, and which, by reference, is made a part hereof.

The tariff of rates, rules and regulations of lessor shall become and remain those of lessee until changed according to law and the rules and regulations of this Commission.

This order shall be effective as of January 22, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Hinton

John R. Barry  
Commissioners

Dated at Denver, Colorado,  
this 1st day of March, 1948.

mw



Original

(Decision No. 30045)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
THE PUEBLO GAS AND FUEL COMPANY, A )  
CORPORATION ORGANIZED AND EXISTING )  
UNDER THE LAWS OF THE STATE OF COLO- )  
RADO, FOR AUTHORITY TO ISSUE SEVEN )  
HUNDRED THOUSAND DOLLARS PRINCIPAL )  
AMOUNT OF ITS FIRST MORTGAGE BONDS. )  
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APPLICATION NO. 9051

-----  
March 4, 1948  
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S T A T E M E N T

By the Commission:

The above-styled application was filed by The Pueblo Gas and Fuel Company, a corporation, on February 5, 1948, for authority under provisions of Senate Bill No. 225 of the State of Colorado, approved by the Governor, and effective at 11:15 A. M., March 22, 1947, to issue and sell Seven Hundred Thousand Dollars (\$700,000.00) principal amount of its First Mortgage Bonds, said bonds to be issued under and secured by an Indenture of Mortgage and Deed of Trust, to be dated as of March 1, 1948, a copy of which, marked "Exhibit H," was to be filed with the Commission on or before February 17, 1948, said day being the day fixed for hearing said application.

At the hearing, it developed that said copy of Indenture of Mortgage and Deed of Trust had not been, and could not then be, filed, on account of the fact that the form thereof had not been agreed upon by applicant, The Pueblo Gas and Fuel Company, and the companies or banks with whom it was arranging price, terms, and form of bonds and other matters incident to the marketing of said bonds.

The Commission, at the conclusion of the hearing, took the matter under advisement until such time as copy of said Indenture of Mortgage and Deed of Trust should be filed.

To date, Indenture of Mortgage and Deed of Trust has not been filed.

Inasmuch as Paragraph 3 (e) of Section 1 of Senate Bill No. 225, amending Section 3, Chapter 137, 1935 Colorado Statutes Annotated provides that whenever an application for issuance of securities filed pursuant to said Act,

" \*\*\* is continued beyond thirty (30) days after the time it is filed, the commission shall enter and order making such continuance and stating fully the facts necessitating same,";

and it appears that the immediate filing of said Indenture of Mortgage and Deed of Trust is not contemplated and may be delayed, on account of the fact that the form thereof has not yet been determined,

#### F I N D I N G S

The Commission, on account thereof, is of the opinion, and finds, that said matter should be continued for a period of thirty (30) days from the date hereof, to allow applicant time within which to file copy of form of Indenture of Mortgage and Deed of Trust, it, however, being contemplated that in the event said copy of Indenture of Mortgage and Deed of Trust is sooner filed, said application may be disposed of by the Commission prior to the expiration of said thirty-day continuance.

#### O R D E R

##### THE COMMISSION ORDERS:

That the above-styled application should be, and hereby is, continued for a period of thirty (30) days from the date hereof, to allow applicant time within which to file copy of form of Indenture of Mortgage and Deed of Trust to be issued to secure bonds mentioned in the application, provided, that in the event said copy of Indenture of Mortgage and Deed of Trust is sooner filed, said application may be disposed of by the Commission prior to the expiration of said thirty-day continuance.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Malcom Erickson*

*Ralph C. Nathan*  
*John R. Barry*  
Commissioners

Dated at Denver, Colorado,  
this 4th day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF RATES FOR THE )  
TRANSPORTATION OF PETROLEUM AND )  
PETROLEUM PRODUCTS IN TANK TRUCKS.)  
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Case No. 1585

-----  
March 6, 1948  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of a petition from The Colorado Motor Carriers Association, as agent for and on behalf of carriers, parties to its tariff, Colo. P.U.C. No. 7, jointly with S. A. Markley and Wilma L. Markley, d/b/a M. & M. Truck Company, H. B. Bryan, d/b/a Melton Transport Company, and R. B. Wilson, requesting authority to publish the rates and rules set forth in the petition attached hereto.

F I N D I N G S

THE COMMISSION FINDS, That Case No. 1585 should be reopened and a further hearing be held for the purpose of considering the matters and things set forth in the said petition.

O R D E R

IT IS ORDERED, That Case No. 1585 be and the same is hereby reopened for reconsideration of the matters and things set forth in the petition attached hereto and made a part hereof; that the same is hereby assigned for further hearing on March 22, 1948 at 10 o'clock A.M. in the Hearing Room of the Commission, Room 330 State Office Building, Denver, Colorado.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson  
Joseph C. Horton  
John R. Barry  
Commissioners

Dated at Denver, Colorado,  
this 6th day of March, 1948.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
THURMAN A. PACKARD, 4861 OSCEOLA )  
STREET, DENVER, COLORADO, FOR A )  
CLASS "A" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
-----

APPLICATION NO. 8937-PP  
SUPPLEMENTAL ORDER

-----  
March 6, 1948  
-----

S T A T E M E N T

By the Commission:

On January 8, 1948, by Decision No. 29687, in the above-entitled application, the Commission dismissed said application, on account of failure of applicant to appear at the hearing, scheduled on Tuesday, December 23, 1947, for consideration of said application.

Upon receipt of copy of said Order, applicant, in writing, asked the Commission to set aside the order dismissing his application, upon the ground that he had not known it was necessary for him to appear at the hearing in the absence of protests.

F I N D I N G S

THE COMMISSION FINDS:

Being now sufficiently informed in the premises, that Order should be set aside, and said matter set for hearing.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 29687, of date January 8, 1948, be, and the same hereby is, set aside, cancelled, and held for naught.

That said Application No. 8937-PP be, and the same hereby is, set for hearing at the Hearing Room of the Commission, 330 State Office

RAG CONTENT

Building, Denver, Colorado, on the 24th day of March, A. D., 1948,  
at eleven o'clock A. M.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph L. Hutton

John R. Barry  
Commissioners

Dated at Denver, Colorado,  
this 6th day of March, 1948.

mw

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GLACIER BOND

RAG CONTENT





(Decision No. 30048)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
NATIONAL BUS TRAFFIC ASSOCIATION, INC.,  
A CORPORATION, FOR AND ON BEHALF OF  
INTERSTATE TRANSIT LINES, AND OTHERS,  
FOR THE RE-OPENING OF CERTAIN APPLICA-  
TIONS FOR THE SOLE PURPOSE OF AMENDING  
THE RATES, FARES, RULES AND REGULATIONS  
THEREIN PRESCRIBED.

Application No. 1606  
et al

March 6, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a petition from the National Bus Traffic Association, inc. by L. H. Ristow, its chairman, for and on behalf of the following carriers, viz: Interstate Transit Lines; Burlington Transportation Company; Colorado Motor Way, Inc. (Rocky Mountain Motor Company, operating); Denver Cab Company, The (Rocky Mountain Motor Company, operating); Denver-Colorado Springs-Pueblo Motor Way, Inc.; Denver-Salt Lake-Pacific Stages, Inc.; Rio Grande Motor Way, Inc.; Santa Fe Trail Transportation Company, The; Southwestern Greyhound Lines, Inc.; Valley Transit Lines, Inc.; requesting reconsideration of the Commission's order entered under decision number 9967 dated May 10, 1937, copy of said petition being attached hereto.

F I N D I N G S

THE COMMISSION FINDS, That application number 1606 et al should be reopened for further hearing in connection with the matters and things set forth in the said petition.

O R D E R

IT IS ORDERED, That application number 1606 et al be and the same is hereby reopened for further hearing relative to the matters and things set forth in the petition, copy of which is attached hereto and made a part hereof, in the Hearing Room of the Commission, Room 330 State Office Building, on March 23, 1948 at 10:00 o'clock A.M.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Hahn

John R. Barry  
Commissioners

Dated at Denver, Colorado,  
this 6th day of March, 1948.

hn

(Decision No. 30049)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION )  
OF JULIUS BUSSARD D/B/A BUSSARD )  
TAXI SERVICE, ENGLEWOOD, COLORADO, )  
FOR AN INCREASE IN PASSENGER FARES )  
UNDER P.U.C. CERTIFICATE NUMBER )  
1450 (INCLUDING CERTIFICATES )  
NUMBERS 675 AND 681). )  
-----)

Application No. 6876

-----  
March 6, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a petition from Julius Bussard d/b/a Bussard Taxi Service and R. L. Ellis, its traffic representative, seeking authority to increase the taxi fares to the extent set forth in its petition, copy of which is attached hereto and made a part hereof.

F I N D I N G S

THE COMMISSION FINDS, That application number 6876 should be re-opened and a further hearing be had in connection with the matters and things set forth in the said petition.

O R D E R

IT IS ORDERED, That application 6876 be and same hereby is re-opened for further consideration of the matters set forth in the petition, copy of which is attached hereto and made a part hereof; that the same is hereby assigned for further hearing on March 23, 1948 at 2:00 o'clock P.M. in the Hearing Room of the Commission, Room 330 State Office Building, Denver, Colorado.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Malcom Erickson*

*Ralph C. Watson*  
*John R. Barry*  
Commissioners

Dated at Denver, Colorado,  
this 6th day of March, 1948.

hn

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE RATES, CHARGES, REGULATIONS, AND )  
PRACTICES OF THE MOUNTAIN STATES )  
TELEPHONE AND TELEGRAPH COMPANY. )  
-----

INVESTIGATION AND SUSPENSION  
DOCKETS NOS. 268, 277  
SUPPLEMENTAL ORDER

-----  
March 6, 1948  
-----

S T A T E M E N T

By the Commission:

On July 5, 1947, The Mountain States Telephone and Telegraph Company, by W. K. Koch, its General Commercial Manager, filed with The Public Utilities Commission of the State of Colorado, an amended tariff, containing schedules stating new rates, charges, and regulations, for application in the several exchange areas therein named, including Boulder and Canon City, Colorado, Exchange Areas, to become effective on and after August 4, 1947, designated and described as follows:

"The Mountain States Telephone and Telegraph Company, Local Exchange Tariff, Colo. PUC No. 3," certain rates and charges described in its General Exchange Tariff Colo. PUC No. 3, concurrently filed to be effective on and after said August 4, 1947, being incorporated therein, by reference;

On July 31, 1947, by Decision No. 28777, the Commission suspended the effective dates of all schedules contained in said tariffs applicable to all exchange areas in the State of Colorado, including long-distance rates, for a period of one hundred twenty (120) days from August 4, 1947 -- that is, until December 2, 1947 -- unless otherwise ordered by the Commission, and, on November 8, 1947, by Decision No. 29357, further suspended effective day of said tariff to March 9, 1948.

From time to time following the filing of the tariff of February 15, 1947, and tariff of July 5, 1947, the Commission lifted said suspensions in numerous exchange areas, and allowed the long-distance



rates proposed to go into effect, and has permitted the rates filed on July 5, 1947, to become effective in all exchange areas except Pueblo, Boulder, and Canon City, Colorado.

On March 1, 1948, the City Council of Boulder, Colorado, by Resolution, approved the rates filed by The Mountain States Telephone and Telegraph Company as aforesaid, on July 5, 1947, for application in said City of Boulder, and provided that they should become effective with billings on and after March 11, 1948 in the City of Boulder.

Telephone Company has requested the Commission to lift the suspension in that part of said Boulder Exchange Area which is not within the Boulder City Limits.

We also have been furnished with a copy of Resolution passed by the City Council of the City of Canon City, formally waiving and disclaiming jurisdiction in the matter of passing upon the reasonableness of rates filed by Telephone Company, and the question of whether said rates should or should not become effective. It further appears that the Charter of the City of Canon City, when adopted, provided that until such time as facilities were established by the city for the regulation of public utilities in Canon City, the right to regulate utilities doing business in said city should remain in, or be vested in, The Public Utilities Commission of the State of Colorado; that such facilities, as yet, have not been established or provided by said City Council, or said city; that on account thereof, jurisdiction to regulate utilities, including The Mountain States Telephone and Telegraph Company, and its operations within the City of Canon City, Colorado, is vested in The Public Utilities Commission of the State of Colorado, said Resolution of the City Council passed and adopted on March 1, 1948, being passed to confirm and make said situation clear, and to show that Canon City has not provided or established an instrumentality, agency, or means to regulate public utilities.

The Commission, in its numerous orders heretofore issued in this matter, permitting new rates proposed to become effective in certain exchange areas in the state therein set forth, has fully discussed the



needs of Telephone Company as to increased revenue, its Property Account, the rate base that should be fixed for said company, rate of return which it should have upon its investment, and the over-all revenues it should earn yearly. It would not seem to be necessary to re-state the facts and our conclusions.

### F I N D I N G S

For the reasons stated in said Order mentioned in Statement preceding, reference to which is hereby made, the Commission finds that it should grant the request of The Mountain States Telephone and Telegraph Company to set aside and lift the suspension heretofore mentioned, and permit the rates, charges, and regulations, as proposed and filed by said Company on July 5, 1947, to become effective on August 4, 1947, in the area served by the Boulder Exchange, to go into effect with billings of said Company on and after March 11, 1948, and further, on account of the fact that this Commission heretofore has determined that the increases sought by Company in the State of Colorado are fair and reasonable, and in the opinion of the Commission the rates sought to be applied in Canon City and the fringe area served by the Canon City Colorado Exchange are fair and reasonable, and the revenues realized therefrom, when added to other revenues of Telephone Company, will not produce excess earnings, the Commission finds that it should set aside and lift the suspension heretofore mentioned, and permit the rates, charges, and regulations as proposed and filed by said Company on July 5, 1947, to become effective on August 4, 1947, in the area served by the Canon City Exchange -- both within and without the City Limits -- to go into effect with billings of said Company on and after March 11, 1948.

### O R D E R

#### THE COMMISSION ORDERS:

That our Order and Decision No. 26777, of date July 31, 1947, as extended and supplemented by subsequent decisions of the Commission, insofar only as said orders suspended the effective day of schedules contained in tariff filed by The Mountain States Telephone and Telegraph Company on July 5, 1947, to become effective on and after August 4, 1947,

fixing new rates, charges, and regulations for application in Boulder, Colorado, Exchange District, should be, and hereby is, vacated and set aside, said tariff and schedules stating new rates, charges, and regulations for said Boulder Exchange District or Area, filed on July 5, 1947, to become effective on first billing date on and after March 11, 1948.

That our Order and Decision No. 26777, of date July 31, 1947, as extended and supplemented by subsequent decisions of the Commission, insofar only as said orders suspended the effective day of schedules contained in tariff filed by The Mountain States Telephone and Telegraph Company on July 5, 1947, to become effective on and after August 4, 1947, fixing new rates, charges and regulations for application in Canon City, Colorado, Exchange District -- both within and without the City Limits -- should be, and hereby is, vacated and set aside, said tariff and schedules stating new rates, charges, and regulations for said Canon City Exchange District or Area so filed on July 5, 1947, to become effective on first billing date on and after March 15, 1948.

The Commission reserves jurisdiction to make such further order, or orders, in the premises as in its opinion may be required, justified, or desirable.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Malcolm Erickson*

*Robert C. Wagoner*  
*John R. Barry*  
Commissioners

Dated at Denver, Colorado,  
this 6th day of March, 1948.

nmw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
PAUL AND BLANCHE RINGER, DBA )  
K. C. TRAILER & USED CARS, )  
1925 SOUTHWEST BLVD., KANSAS )  
CITY, 3, KANSAS. )  
----- )

PERMIT NO. C-13232

-----  
March 15, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Paul and Blanche Ringer, d/b/a K. C. Trailer & Used Cars,  
requesting that Permit No. C-13232 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-13232, heretofore issued to-----  
Paul and Blanche Ringer, d/b/a K. C. Trailer & Used Cars, be,  
and the same is hereby, declared cancelled effective February 21, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcom Erickson  
Ralph C. Montant  
John R. Barry  
Commissioners

Dated at Denver, Colorado,  
this 15th day of March, 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
BEN GOODNER, RT. 5, GRAND )  
JUNCTION, COLORADO )  
)  
)  
)

PERMIT NO. C-16593.

March 15, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

Ben Goodner,.....

requesting that Permit No. C-16593 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-16593, heretofore issued to.....

Ben Goodner,..... be,

and the same is hereby, declared cancelled effective February 20, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson  
Ralph C. Horton  
John R. Berry  
Commissioners

Dated at Denver, Colorado,

this 15th day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
 )  
MELVIN JACKSON, BRECKENRIDGE, )  
COLORADO. )  
 )  
 )  
 )

PERMIT NO. C-17339.

-----  
March 15, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

Melvin Jackson,

requesting that Permit No. C-17339 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-17339, heretofore issued to.....

Melvin Jackson,.....be,

and the same is hereby, declared cancelled effective February 1, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,

this 15th day of March, 194 8.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

✱ ✱ ✱ ✱

RE MOTOR VEHICLE OPERATIONS OF )  
EARL WORLEY DBA LUCKY CLUB  
BOTTLING CO., 208 NO. 8th,  
CANON CITY, COLORADO.

PERMIT NO. C-17952.

March 15, 1948

## S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Earl Worley, d/b/a Lucky Club Bottling Co.,  
 requesting that Permit No. C-17952 be cancelled.

## FINDINGS

**THE COMMISSION FINDS:**

That the request should be granted.

# ORDER

**THE COMMISSION ORDERS:**

That Permit No. C-17952, heretofore issued to.....  
Earl Worley, d/b/a Lucky Club Bottling Co.,..... be,  
 and the same is hereby, declared cancelled effective **February 27, 1948.**

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Horton

*John R. Barry*  
Commissioners

Dated at Denver, Colorado,  
this 15th day of March, 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
J. M. INFELD AND A. F. WENGER, )  
d/b/a INFELD-WENGER GRAIN CO., )  
EADS, COLORADO )  
)  
)  
-----

PERMIT NO. C-17977.

-----  
March 15, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
J. M. Infeld and A. F. Wenger, d/b/a Infeld-Wenger Grain Co.,.....  
requesting that Permit No. C-17977.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-17977, heretofore issued to.....  
J. M. Infeld and A. F. Wenger, d/b/a Infeld-Wenger Grain Co.,.....be,  
and the same is hereby, declared cancelled effective February 24, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcom Erickson*

*Ralph C. Horton*

*John R. Barry*

Commissioners

Dated at Denver, Colorado,

this 15th day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
RHINEY H. FOOSE, 2130 7th AVE., )  
GREELEY, COLORADO. )  
)  
)  
)  
-----

PERMIT NO. C-19029.

-----  
March 15, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Rhiney H. Foose,-----  
requesting that Permit No. C-19029 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19029, heretofore issued to-----  
Rhiney H. Foose,-----be,  
and the same is hereby, declared cancelled effective January 20, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcom Erickson  
Ralph C. Horton  
John R. Berry  
Commissioners

Dated at Denver, Colorado,  
this 15th day of March, 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ROBERT M. SASSER, BOX 478, )  
CLIFTON, COLORADO. )  
)  
)  
)  
)  
-----

PERMIT NO. C-19047.

-----  
March 15, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Robert M. Sasser,.....  
requesting that Permit No. ....C-19047.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. ....C-19047....., heretofore issued to.....  
Robert M. Sasser,.....be,  
and the same is hereby, declared cancelled effective February 23, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Norton

John R. Barry  
Commissioners

Dated at Denver, Colorado,  
this 15th day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
A. E. PATSCHECK, DURANGO, COLO. )  
)  
)  
)  
)  
-----

PERMIT NO. C-19116.

-----  
March 15, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
A. E. Patscheck,-----  
requesting that Permit No. C-19116-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19116-----, heretofore issued to-----  
A. E. Patscheck,-----be,  
and the same is hereby, declared cancelled effective February 4, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcolm Erickson*

*Ralph C. Horton*

*John R. Barry*  
Commissioners

Dated at Denver, Colorado,  
this 15th day of March, 1948.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
 )  
WILLIAM W. & FLOYD M. DAY, )  
1523 LUCAS, CANON CITY, COLO. )  
 )  
 )

PERMIT NO. C-19351.

-----  
March 15, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
William W. & Floyd M. Day,.....  
requesting that Permit No. C-19351.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19351....., heretofore issued to.....  
William W. & Floyd M. Day,.....be,  
and the same is hereby, declared cancelled effective January 28, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,  
this.....15th day of.....March....., 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
AMILA & CHESTER PARADISO, )  
500 S. BEECH, TRINIDAD, COLO. )  
)  
)  
)  
)  
-----

PERMIT NO. C-19515.

-----  
March 15, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Amila & Chester Paradiso,-----  
requesting that Permit No. C-19515-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19515-----, heretofore issued to-----  
Amila & Chester Paradiso,-----be,  
and the same is hereby, declared cancelled effective January 24, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcom Erickson  
Ralph C. Winton  
John R. Barry  
Commissioners

Dated at Denver, Colorado,  
this 15th day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ELZA HARROUN AND E. H. MARTIN- )  
DALE, DBA ST. VRAIN VALLEY )  
POULTRY MARKET, 2nd & EMERY, )  
LONGMONT, COLORADO. )

PERMIT NO. C-19655.

March 15, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Elsa Harroun and E. H. Martindale, d/b/a St. Vrain Valley Poultry Market,  
requesting that Permit No. C-19655 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19655, heretofore issued to.....  
Elsa Harroun and E. H. Martindale, d/b/a St. Vrain Valley Poultry Market, be,  
and the same is hereby, declared cancelled effective February 17, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Mallory Erickson  
Ralph C. Norton  
Commissioners

Dated at Denver, Colorado,  
this 15th day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
BOYD AND GALE OLIVER, DBA )  
OLIVER BROTHERS, TELLURIDE, )  
COLORADO. )  
----- )

PERMIT NO. C-19796

-----  
March 15, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Boyd and Gale Oliver, d/b/a Oliver Brothers.....  
requesting that Permit No. C-19796.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19796....., heretofore issued to.....  
Boyd and Gale Oliver, d/b/a Oliver Brothers..... be,  
and the same is hereby, declared cancelled effective January 28, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcolm Erickson*  
-----  
*Robert C. Winston*  
-----  
*John R. Berry*  
-----  
Commissioners

Dated at Denver, Colorado,  
this 15th day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
HAROLD E. NICHOLAS, RT. 2, )  
BOX 92, LITTLETON, COLORADO. )  
 )  
 )  
 )

PERMIT NO. C-19937.

March 15, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Harold E. Nicholas,.....  
requesting that Permit No. ....C-19937.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. ....C-19937....., heretofore issued to.....  
Harold E. Nicholas,.....be,  
and the same is hereby, declared cancelled effective **February 25, 1948.**

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Ericson  
Ralph C. Norton  
John B. Perry  
Commissioners

Dated at Denver, Colorado,  
this 15th day of March, 194 8.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
WILLARD H. & GEORGE B. NICKS, )  
DBA NICKS BROS. LIMON, COLO. )  
)  
)  
)

PERMIT NO. C-20077

March 15, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Willard H. & George B. Nicks, d/b/a Nicks Bros.,.....  
requesting that Permit No. C-20077.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20077....., heretofore issued to.....  
Willard H. & George B. Nicks, d/b/a Nicks Bros.,.....be,  
and the same is hereby, declared cancelled effective February 11, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcolm Erickson*

*Ralph C. Horton*

*John R. Barry*

Commissioners

Dated at Denver, Colorado,  
this 15th day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
FRANK G. MARTINEZ, RT. 1, )  
BOX 190, EATON, COLORADO. )  
)  
)  
)  
-----

PERMIT NO. C-20179

-----  
March 15, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----

Frank G. Martinez,

requesting that Permit No. C-20179 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20179, heretofore issued to-----

Frank G. Martinez,-----be,

and the same is hereby, declared cancelled effective **February 19, 1948.**

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Horton

John R. Barry  
Commissioners

Dated at Denver, Colorado,

this 15th day of March, 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
CLIFFORD R. DUGAN, 3401 E. 13th )  
LOVELAND, COLORADO. )

PERMIT NO. C-20321.

March 15, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

Clifford R. Dugan,

requesting that Permit No. C-20321 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20321, heretofore issued to.....

Clifford R. Dugan,.....be,

and the same is hereby, declared cancelled effective February 11, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcolm C. Anderson*

*Ralph C. Roberts*

*John R. Barry*

Commissioners

Dated at Denver, Colorado,

this 15th day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ALBERT L. GOULD, 251 ADA ST., )  
SAN ANTONIO, 4, TEXAS )  
)  
)  
)  
)  
-----

PERMIT NO. C-20341.

-----  
March 15, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Albert L. Gould,  
-----  
requesting that Permit No. C-20341 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20341, heretofore issued to-----  
Albert L. Gould,-----be,  
and the same is hereby, declared cancelled effective January 11, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Malcolm Erickson*  
-----  
*Ralph C. Norton*  
-----  
*John A. Barry*  
-----  
Commissioners

Dated at Denver, Colorado,  
this 15th day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
FRUTOSO R. VILLARREAL, )  
PAGOSA SPRINGS, COLORADO. )  
)  
)  
)  
)  
-----

PERMIT NO. C-20644.

-----  
March 15, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Frutoso R. Villarreal,.....  
requesting that Permit No. C-20644 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20644, heretofore issued to.....  
Frutoso R. Villarreal,.....be,  
and the same is hereby, declared cancelled effective January 22, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

-----  
*Malcolm Erickson*  
-----  
*Ralph C. Horton*  
-----  
*John Barry*  
Commissioners

Dated at Denver, Colorado,  
this 15th day of March, 1948.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
B. R. BRANCH, PO BOX 52, )  
WEST END STATION, COLORADO )  
SPRINGS, COLORADO. )  
)  
)  
)  
)  
)  
-----

PERMIT NO. C-20649.

-----  
March 15, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----

B. R. Branch,  
-----

requesting that Permit No. C-20649 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20649, heretofore issued to-----

B. R. Branch,  
-----be,

and the same is hereby, declared cancelled effective **February 10, 1948.**

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcom Erickson*  
-----

*Ralph C. Horton*  
-----

*John R. Barry.*  
-----  
Commissioners

Dated at Denver, Colorado,

this 15th day of March, 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
BERT RASMUSSEN, RT. 3, BOX 348, )  
GREELEY, COLORADO. )  
)  
)  
)

PERMIT NO. C-20678.

March 15, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

Bert Rasmussen,

requesting that Permit No. C-20678 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20678, heretofore issued to.....

Bert Rasmussen,

.....be,

and the same is hereby, declared cancelled effective **February 16, 1948.**

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcolm Erickson*

*Ralph C. Horton*

*John R. Barry*

Commissioners

Dated at Denver, Colorado,

this 15th day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
W. H. HARFST, 1857 W. 41st AVE.)  
DENVER 11, COLORADO. )  
 )  
 )  
 )

PERMIT NO. A-2568

-----  
March 15, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

W. H. Harfst,.....

requesting that Permit No. A-2568.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. A-2568....., heretofore issued to.....

W. H. Harfst,.....be,

and the same is hereby, declared cancelled effective February 14, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcolm Erickson*

*Ralph C. Horton*

*John R. Barry*  
Commissioners

Dated at Denver, Colorado,

this 15th day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
RALPH STATES, PENROSE, COLORADO )  
)  
)  
)  
)  
-----

PERMIT NO. A-2688.

-----  
March 15, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----

Ralph States,-----

requesting that Permit No. A-2688 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. A-2688, heretofore issued to-----

Ralph States,-----be,

and the same is hereby, declared cancelled effective **February 7, 1948.**

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcolm Erickson*

*Ralph C. Norton*

*John R. Barry.*

Commissioners

Dated at Denver, Colorado,

this 15th day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
OLIVER U. GROVES, 2926 GLENARM )  
PL., DENVER 5, COLORADO. )  
)  
)  
)  
)

PERMIT NO. B-2745

-----  
March 15, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Oliver U. Groves,  
.....  
requesting that Permit No. B-2745.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-2745....., heretofore issued to.....  
Oliver U. Groves,  
.....be,  
and the same is hereby, declared cancelled effective January 29, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Horton

John R. Barry.  
Commissioners

Dated at Denver, Colorado,  
this 15th day of March, 1948.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
HOWARD B. BURNS, 86 SO. ADAMS, )  
DENVER 6, COLORADO. )  
)  
)  
)  
)  
)  
-----

PERMIT NO. B-3339.

-----  
March 15, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Howard B. Burns,.....  
requesting that Permit No. B-3339.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-3339....., heretofore issued to.....  
Howard B. Burns,.....be,  
and the same is hereby, declared cancelled effective February 6, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcom Erickson*

*Ralph C. Horton*

*John R. Barry.*  
Commissioners

Dated at Denver, Colorado,  
this 15th day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JULIAN T. TRUJILLO, 2435 CALIF. )  
PUERLO, COLORADO. )  
)  
)  
)  
)  
-----

PERMIT NO. B-3593.

-----  
March 15, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Julian T. Trujillo,  
requesting that Permit No. B-3593 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-3593, heretofore issued to  
Julian T. Trujillo, be,  
and the same is hereby, declared cancelled effective February 1, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Malcolm Erickson*  
-----  
*Ralph C. Horton*  
-----  
*John R. Barry*  
-----  
Commissioners

Dated at Denver, Colorado,  
this 15th day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
EVERETT & EVERETT W. REED, )  
ADAMS CITY, COLORADO )  
 )  
 )  
 )  
 )  
-----

PERMIT NO. B-3692.

-----  
March 15, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Everett & Everett W. Reed,-----  
requesting that Permit No. B-3692-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-3692-----, heretofore issued to-----  
Everett & Everett W. Reed,-----be,  
and the same is hereby, declared cancelled effective **February 11, 1948.**

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Horton

John R. Barry  
Commissioners

Dated at Denver, Colorado,  
this 15th day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
RAY F. HEMPHILL, 11190 W. )  
COLFAX, DENVER 14, COLORADO. )  
)  
)  
)  
)  
-----

PERMIT NO. B-3750.

-----  
March 15, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Ray F. Hemphill,-----  
requesting that Permit No. B-3750 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-3750, heretofore issued to-----  
Ray F. Hemphill,-----be,  
and the same is hereby, declared cancelled effective February 1, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson  
Ralph C. Norton  
John A. Barry  
Commissioners

Dated at Denver, Colorado,  
this 15th day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
GUY PATTON, RT. 2, BOX 17, )  
MONTE VISTA, COLORADO. ) APPLICATION NO. 8357-PF.  
-----)

-----  
March 15, 1948  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Guy Patton, requesting that his Class "B" permit, granted in Application No. 8357-PF, Decision No. 28289, under date of June 3, 1947, be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Class "B" permit, granted Guy Patton, in the above-numbered application, Decision No. 28289, under date of June 3, 1947, be, and the same hereby is, declared cancelled, effective February 18, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Marion Erickson  
Ralph C. Horton  
John R. Barry  
Commissioners.

Dated at Denver, Colorado,  
this 15th day of March, 1948.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
GEO. L. TAYLOR, DBA A-A-A )  
TRANSFER & STORAGE CO., 1210 ) PUC No. 1651-I.  
COMMERCE ST., FORT WORTH 2, )  
TEXAS. )  
-----

-----  
March 15, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Geo. L. Taylor, DBA A-A-A Transfer & Storage Co., requesting that certificate of public convenience and necessity No. 1651-I be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Certificate No. PUC-1651-I, heretofore issued to Geo. L. Taylor, DBA A-A-A Transfer & Storage Co., be, and the same is hereby, declared cancelled effective January 1, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson  
Ralph C. Horton  
John R. Barry.

Commissioners.

Dated at Denver, Colorado,  
this 15th day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
NORMAN L. KELLEY, JR, ARRIRA, ) PERMIT NO. B-3386.  
COLORADO )  
-----)

-----  
March 15, 1948  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that his Permit No. B-3386 be suspended for six months.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Norman L. Kelley, be, and he is hereby, authorized to suspend his operations under Permit No. B-3386, until July 28, 1948.

That unless said Norman L. Kelley shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said permit, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to private carrier permits, said permit, without further action by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

William Erickson  
Ralph C. Horton  
John R. Barry  
Commissioners.

Dated at Denver, Colorado,  
this 15th day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE INCREASE OF RATES OF THE LEAD-  
VILLE WATER COMPANY, LEADVILLE,  
COLORADO.

INVESTIGATION AND SUSPENSION  
DOCKET NO. 279

March 10, 1948

Appearances: E. G. Knowles, Esq., Denver,  
Colorado, for The Leadville  
Water Company;  
Robert A. Theobald, Esq.,  
Breckenridge, Colorado,  
for residents of Leadville  
and vicinity.

S T A T E M E N T

By the Commission:

On September 18, 1947, The Leadville Water Company, by Wilbur H. Dewey, Agent, filed with The Public Utilities Commission of the State of Colorado, its schedule, designated "PUC No. 3," of new rates, charges, rules, and regulations for water service in all territory served by it, being generally the City of Leadville and business, mining, and industrial plants nearby, said schedule to become effective on and after November 1, 1947.

On November 1, 1947, upon request of The Leadville Water Company, by E. G. Knowles, Esq., its attorney, the effective day was postponed for sixty-one days from November 1, 1947, and until January 1, 1948, unless otherwise ordered.

On December 31, 1947, for good cause shown, as will more fully appear in Decision No. 29660, of date December 31, 1947, which by reference is made a part hereof, the Commission, by said decision and Order therein contained, postponed the effective day of said schedule to April 30, 1948, unless otherwise ordered, and directed that during said period of suspension, proposed rates, rules, and regulations contained

in said schedule, the financial status, and physical condition of property of The Leadville Water Company, be made a subject of investigation by the Commission, and set said matter for hearing, at the District Court Room, in the Lake County Court House, at Leadville, Colorado, on Monday, March 15, 1948, at 9:30 o'clock A. M., said matter being subsequently set for taking of testimony of witness for company who would be unable to attend the Leadville Hearing, in Denver, Colorado, on March 3, 1948, at which time the testimony was taken and certain exhibits were made a part of the record in behalf of The Leadville Water Company.

On March 9, 1948, The Leadville Water Company, by Wilbur H. Dewey, its Vice-President and Agent, filed with The Public Utilities Commission of the State of Colorado, its schedule, designated "PUC No. 4," of new rates, charges, rules, and regulations for water service in all territory served by it, which schedule was in amendment of and substitution for its said schedule, PUC No. 3, heretofore referred to, filed September 18, 1947, which was the subject of our Investigation and Suspension Order No. 29660, and asked that said schedule be allowed to become effective on and after April 1, 1948, and that if said rates are not allowed to go into effect on April 1, 1948, or are suspended, that the hearing proceed on March 15, 1948, at Leadville, Colorado, upon said substituted schedule, to-wit, PUC No. 4, instead of schedules suspended, being PUC No. 3.

The Commission has contacted Robert A. Theobald, Esq., attorney for protestants, and he has informed the Commission that his clients are opposed and object to the rates, rules, and regulations proposed (PUC No. 4) to become effective on April 1, 1948, and ask that they be suspended, and that said matter be set for hearing upon the suspension of PUC No. 4, at Leadville, Colorado, at the District Court Room, on Monday, March 15, 1948, at 9:30 o'clock A. M.

#### F I N D I N G S

The Commission, being sufficiently informed in the premises, having carefully considered the petition of The Leadville Water Company and schedules filed on March 9, 1948, the record heretofore made herein,

and the objections filed by interested parties to schedules contained in PUC No. 3, the rates set forth in PUC No. 4 being substantially in excess of rates set forth in PUC No. 3, is of the opinion, and finds, that said schedule, PUC No. 4, and the rates, charges, rules, and regulations for water service of The Leadville Water Company set forth therein, should be suspended for a period of one hundred twenty (120) days from April 1, 1948, and that during said period of suspension said schedules of rates, rules, and regulations, the financial status, the value of the property of The Leadville Water Company, used and useful in its operations as a water utility, physical condition of said property, the determination of a reasonable and proper rate base for said The Leadville Water Company, and all other questions connected with or incidental to a complete determination by the Commission of the matter, be made a subject of investigation by the Commission and its staff, and that said matter should be set for hearing at the District Court Room, in the Lake County Court House, at Leadville, Colorado, on Monday, March 15, 1948, at 9:30 o'clock A. M.

That the proceedings before the Commission in Investigation and Suspension Docket No. 279 in Denver, Colorado, on March 3, 1948, as certified in transcript thereof prepared by Dorothy J. Henrickson, and the testimony of Vincent K. Jones, and the exhibits offered and made a part of the record at said hearing be made a part of the record herein.

#### O R D E R

##### THE COMMISSION ORDERS:

That the effective date of schedule of rates, rules, and regulations filed by The Leadville Water Company on March 9, 1948, being PUC No. 4, should be, and hereby is, suspended for a period of one hundred twenty (120) days from and after April 1, 1948, unless otherwise ordered, and that during said period of suspension, said schedules of rates, rules, and regulations, the financial status, the value of the property of The Leadville Water Company used and useful in its operations as a water utility, the physical condition of said property, the determination of a reasonable and proper rate base for said The Leadville Water Company,



and all other questions connected with or incidental to a complete determination by the Commission of the matter, be made a subject of investigation by the Commission and its staff; and that said matter should be, and hereby is, set for hearing, at the District Court Room in the Lake County Court House, at Leadville, Colorado, on Monday, March 15, 1948, at 9:30 o'clock A. M.

That the proceedings before the Commission in Investigation and Suspension Docket No. 279, in Denver, Colorado, on March 3, 1948, as certified in transcript thereof prepared by Dorothy J. Henrickson, and the testimony of Vincent K. Jones, and the exhibits offered and made a part of the record at said hearing, be, and they hereby are, made a part of the record herein.

That copy of this Order be filed with the aforesaid rate schedule and rules and regulations, and copy hereof be forthwith served on The Leadville Water Company, City of Leadville, Leadville Chamber of Commerce, and other persons complaining, as set forth in our Decision No. 29215.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Malcom Erickson*

*Ralph C. Hinton*

*John R. Barry*  
Commissioners

Dated at Denver, Colorado,  
this 10th day of March, 1948.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
CLAYTON HERN, LA VETA, COLORADO. ) PUC. NO. 1440.  
-----)

-----  
March 15, 1948  
-----

S T A T E M E N T

By the Commission:

On February 10, 1944, the Commission authorized Clayton Hern to suspend operations under his certificate of public convenience and necessity No. 1440 until July 29, 1944.

The Commission is now in receipt of a communication from the above named certificate-holder requesting that his certificate be reinstated.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Certificate of Public Convenience and Necessity No. 1440 should be, and the same hereby is, reinstated as of March 9, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

William Erickson  
Ralph C. Horton  
John R. Barry.  
Commissioners.

Dated at Denver, Colorado,  
this 15th day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JACK FAIR, FRASER, COLORADO. )  
-----)

CASE NO. 40943-INS.  
(Permit No. C-15988)

-----  
March 15, 1948  
-----

S T A T E M E N T

By the Commission:

On February 3, 1948, in Case No. 40943-Ins., the Commission entered an order revoking Permit No. C-15988, for failure to keep on file effective insurance.

Insurance was in effect, however, but, through neglect of the agent, was not filed in time to stop the revocation of the permit.

After careful consideration of the record and the files, the Commission is of the opinion, and finds, that our Decision No. 40943-Ins., should be cancelled and set aside and said Permit No. C-15899 restored to its former status.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 40943-Ins., should be, and it hereby is, cancelled and set aside, and said Permit No. C-15988 restored to its former status as of February 3, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Hotan

John B. Barry  
Commissioners.

Dated at Denver, Colorado,  
this 15th day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
IRIS HERBERTSON, 4855 BEACH COURT, )  
DENVER, COLORADO, FOR AUTHORITY TO )  
EXTEND OPERATIONS UNDER PERMIT NO. )  
B-2368. )  
----- )

APPLICATION NO. 9095-PP-Extension.  
SUPPLEMENTAL ORDER

-----  
March 15, 1948  
-----

STATEMENT

By the Commission:

IT APPEARING, That by Decision No. 13659, of date June 17, 1939, Iris Herbertson, of Denver, Colorado, was authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of:

sand, gravel, and road surfacing materials, from pits and supply points within a radius of fifty miles of Denver, to road construction jobs and building construction jobs within said radius, save and except the transportation of sand and gravel between or from or to points in the north half of Boulder County;

That on February 11, 1948, he filed his application with the Commission to extend his authority to include the right to transport:

sand, gravel, and other road surfacing materials from pits and supply points in the State of Colorado, to road and building construction jobs within a radius of fifty miles of said supply points;

That by Decision No. 30029 said request for extension was granted, with the proviso that service should not be furnished in Boulder, Clear Creek, and Gilpin Counties, and

That said Order overlooked the fact that applicant already was authorized to serve in that portion of Clear Creek, Boulder, and Gilpin Counties within a radius of fifty miles of Denver,

FINDINGS

The Commission is of the opinion, and finds, that said Decision No. 30029 should be amended, by eliminating the words "excluding service

in Boulder, Clear Creek, and Gilpin Counties," at the end of the first paragraph on Page 2 of said Order, and in lieu thereof inserting the following:

"excluding service in that part of Boulder, Clear Creek, and Gilpin Counties, if any, which is more than fifty miles from Denver, and excepting the transportation of sand and gravel between or from or to points in the north half of Boulder County."

O R D E R

THE COMMISSION ORDERS:

That our said Order and Decision No. 30029, of date March 3, 1948, should be, and hereby is, amended, nunc pro tunc, as of said 3rd day of March, 1948, so that the Order reads as follows:

"That Iris Herbertson, Denver, Colorado, be, and hereby is, authorized to extend operations under Permit No. B-2368 to include the right to transport sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado, to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in that part of Boulder, Clear Creek, and Gilpin Counties, if any, which is more than fifty miles from Denver, and excepting the transportation of sand and gravel between or from or to points in the north half of Boulder County."

That said Decision No. 30029, in all other respects, shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Hutton

John R. Barry  
Commissioners.

Dated at Denver, Colorado,  
this 15th day of March, 1948.

ea



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE WATER RATES, RULES AND REGULATIONS  
OF THE NORTHFIELD LAND AND WATER  
COMPANY.  
-----

} INVESTIGATION AND SUSPENSION  
DOCKET NO. 276.

-----  
March 9, 1948  
-----

STATEMENT

By the Commission:

IT APPEARING, That on June 12, 1947, the Northfield Land and Water Company, by Arleen W. Hughes, Vice-President and Treasurer, filed its rate schedule, to become effective July 12, 1947, said schedule being an increase in the minimum charges, only, for 5/8-inch and 3/4-inch meters, per month, from \$1.25 to \$1.50, and for 1-inch meters, from \$2.50 to \$3.00. The said schedule was filed with the Commission on June 14, 1947, being twenty-eight days before the effective date.

IT FURTHER APPEARING, That by Decision No. 28604, of July 6, 1947, the said schedule was suspended for one-hundred and twenty days from July 12, 1947, or until November 10, 1947. In said order, it was ordered that during the suspension period, the proposed rates, financial status, and physical condition of the property, and the rules and regulations of the Northfield Land and Water Company be made a subject of investigation by the Commission, within said period of suspension, or such further time as the same may be lawfully suspended. It was also ordered that the matter be set for hearing in Colorado Springs, on August 6, 1947, at 10 o'clock A. M. Said hearing being duly held, it developed that a further investigation of all matters pertaining to the company should be made.

IT FURTHER APPEARING, That a further investigation of all matters pertaining to the Company could not be made prior to November 10, 1947, the effective date was further suspended by Decision No. 29358, from November 10, 1947, or until March 10, 1948.

IT NOW APPEARING, That said investigation cannot be completed before March 10, 1948,

THE COMMISSION ORDERS:

That the effective date of the rate schedule be further suspended for one hundred and twenty (120) days, beginning with March 10, 1948, or until July 8, 1948, unless otherwise ordered.

That during said extension period, all matters pertaining to the proposed rate schedule, financial status, and physical condition of the property, and rules and regulations of the Northfield Land and Water Company be made a subject of further investigation by the Commission, within said period of suspension, or such further time as the same may be lawfully suspended.

That a copy of this order be filed with the aforesaid rate schedule, and complaints filed therewith, and a copy hereof be further served on Arleen W. Hughes, Vice-President and Treasurer, of the Northfield Land and Water Company, 509 Exchange National Bank Bldg., Colorado Springs, Colorado, and Vern V. Shaffer, of 131 Swope Ave., Colorado Springs, Colorado, signer of the complaint filed with the Commission on July 7, 1947.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Hutton

John R. Barry

Commissioners.

Dated at Denver, Colorado,  
this 9th day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
GREELEY GAS COMPANY, GREELEY, COLO- )  
RADO, FOR AN ORDER AUTHORIZING SAID )  
COMPANY TO ISSUE SECURITIES, AND TO )  
CREATE LIENS ON ITS PROPERTY WITHIN )  
THIS STATE, AND THE APPLICATION OF )  
THE PROCEEDS THEREFROM. )

APPLICATION NO. 9081

-----  
March 13, 1948  
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Appearances: Southard and Southard, Esqs.,  
Greeley, Colorado, for  
Greeley Gas Company;  
J. W. Hawley, Esq., Denver,  
Colorado,  
C. L. Flower, Denver, Colorado,  
and  
W. George Denny, Jr., Denver,  
Colorado, of The Public  
Utilities Commission of the  
State of Colorado, for the  
Commission.

S T A T E M E N T

By the Commission:

By the above-captioned application filed on February 16, 1948, Greeley Gas Company, a corporation organized, existing, and doing business under the laws of the State of Colorado, seeks an Order from the Commission, pursuant to Sub-Section (c) of Section 30, Chapter 137, 1935 Colorado Statutes Annotated, as amended, authorizing it to issue and sell Two Hundred Thirty-Five Thousand Dollars (\$235,000.00) principal amount of First Mortgage four percent bonds of said company, under and to be secured by Indenture of Mortgage and Deed of Trust to The United States National Bank of Denver, Colorado, as Trustee, dated as of March 15, 1948, said Indenture of Mortgage and Deed of Trust being filed as "Exhibit I" herein, which Indenture of Mortgage and Deed of Trust hereby are made part hereof, by reference. Said bonds are to be dated March 15, 1948,



and are to mature, subject to prior redemption, on March 15, A. D., 1970.

Greeley Gas Company also asks that if authority to issue bonds is granted, it be authorized to sell said \$235,000.00 principal amount First Mortgage four percent bonds of said company at one hundred percent of the principal amount thereof, plus accrued interest from March 15, 1948, to date of sale, said bonds, as aforestated, to bear interest at the rate of four percent per annum, maturing bonds to be payable at par, and if called prior to maturity, in accordance with provisions of said bonds and said Indenture of Mortgage and Deed of Trust, a premium is to be payable of five percent if called during the first ten years, four percent if called during the second ten years, and three percent if called any time thereafter prior to maturity.

A public hearing was held at the Commission's Hearing Room, 330 State Office Building, Denver, Colorado, after appropriate notice, on February 27, 1948, at two o'clock P. M. The matter was taken under advisement.

Applicant corporation is engaged principally in the purchase, distribution, and sale of gas. It is a gas public utility, subject to the jurisdiction of the Commission, owning and operating a gas distributing system which is wholly within the State of Colorado, its office and principal center for distribution and sale of gas being in Greeley, Colorado.

For the year ended December 31, 1947, company reports operating revenues of \$268,117.11, and net income -- that is, the amount available for dividends and surplus, after provision for Federal and State Income Taxes -- of \$27,255.84. Comparative figures for the Year 1946 were, respectively, \$187,304.09, and \$19,796.24, being an increase in operating revenue of \$80,813.02, and an increase in net income of \$7,459.60. Earnings in prior years have been satisfactory. Earned surplus, as of December 31, 1946, amounted to \$24,129.85. The sum in Surplus Account, with other moneys, was expended in improvements to plant during the Year 1947. No dividends were paid in 1947, but dividends amounting to \$5,300.00 were paid during the Year 1946.

Company reports assets and liabilities, as of December 31, 1947, as follows:

ASSETS

Property, plant, equipment, etc.,	
less retirements . . . . .	\$444,562.95
Investment and Fund Accounts. . . . .	9,498.28
Current and Accrued Assets. . . . .	104,230.51
Deferred Debits . . . . .	<u>9,251.23</u>
Total Assets. . . . .	\$567,542.97

LIABILITIES

Capital Stock issued and outstanding. . . . .	\$ 40,000.00
Fund Debt, First Mortgage 4% Bonds	
of 1942. . . . .	126,000.00
Current and Accrued Liabilities . . . . .	91,915.79
Other Liabilities, Deferred Credits,	
and contributions in aid of construction . .	2,800.00
Reserves. . . . .	158,739.25
Surplus . . . . .	<u>148,087.93</u>
Total Liabilities . . . . .	\$567,542.97

Company, as of date December 31, 1947, had outstanding four hundred shares of common stock of no par value, out of the total authorized no-par-value capital stock of one thousand shares.

Company further has issued and outstanding \$126,000.00 principal amount of First Mortgage 4% Bonds, issued in 1942.

The financing proposed herein was authorized to secure funds for the construction, completion, extension, and improvement of its facilities, including an addition to present office building in Greeley, Weld County, Colorado, and the extension of its distribution system in Greeley and elsewhere, by the construction of additional mains, and the construction and acquisition of other facilities and equipment for the transmission and distribution of artificial and natural gas for heating, power, and other purposes, to be sold and distributed to and among the inhabitants of the City of Greeley and other towns, cities, and places in Weld County, it being contemplated that Company will serve Eaton, LaSalle, Evans, and possibly Ault. Estimated costs of improvements in Eaton, LaSalle, Evans, and Greeley, are, respectively, \$24,683.00, \$17,949.00, \$17,946.00, and \$42,901.00. \$50,000.00 will be expended in the construction of addition to office building in Greeley. The total will be in excess of the sum of \$102,700.00, which is the amount over



and above the sum of \$132,300.00 out of the proceeds of said bond sale which it is contemplated will be used to retire the outstanding 4% Bonds, totalling \$126,000.00, with premium of \$6,300.00, which must be paid to retire them. Additional sums required will be supplied by net earnings. The outstanding bonds are owned by Woodman of the World Life Insurance Society, of Omaha, Nebraska, to whom the new issue is to be sold. Company asks that the proposed sale be exempted from competitive bidding.

It appeared that yield to proposed purchaser of the contemplated bond issue, which authority to issue and sell is sought here, on the basis proposed, will be 4% per annum; that Company has caused a careful study to be made of market values of bonds similar in character to those which it proposes to issue, and based upon its investigation, believes that such bonds cannot be sold on a more advantageous basis than that set forth in the application herein. On the contrary, Company is convinced that presently it would be difficult to secure bids on a public invitation to bid for an issue of bonds of the size and of the character herein proposed, and if any bids were to be received, they would be on a basis to yield an amount substantially in excess of 4% to maturity to whomever might be the purchaser. It was also represented that if bonds are sold at public sale, it would be necessary to prepare prospectus, and to incur other expense which can be avoided by sale of bonds at private sale; that expense incident to proposed issue and sale of new bonds will consist chiefly of counsel fees, printing, travel expense, and the premium which must be paid for retirement of the outstanding issue.

The Commission's staff has examined the application, and being of the opinion that the proposed transaction is compatible with the public interest, has recommended that the authority sought be granted.

While the Commission recognizes the desirability of competitive bidding, to date it has not concluded that public interests demand that this rule be adhered to in all instances, but that each case should be considered on the facts peculiar to the matter under consideration.

It appeared that the public sale method would cost Company considerably more than if the bonds were sold privately, as contemplated.

The price offered and the yield contemplated are favorable, and neither this Commission nor Company has any assurance that the bond market will be as favorable in the future as it is today. Necessarily, preparation of documents and time required for investigation by interested underwriters would postpone the sale of the proposed bonds for a considerable period of time. Then, there could be no definite assurance as to the price at which the bonds could be sold. It would also seem that the society which now holds the bonds heretofore issued would be more receptive to the new issue than would the average investor. The yield to the investor is not out of line with yields currently obtained from similar bonds recently sold.

#### F I N D I N G S

##### THE COMMISSION FINDS:

That petitioner, Greeley Gas Company, is a public utility, as defined in Section 3, Chapter 137, 1935 Colorado Statutes Annotated.

That this Commission has jurisdiction of said applicant and subject matter of petition herein.

That the Commission is fully advised in the premises.

That the issuance by Company of the securities proposed to be issued, as hereinabove set forth, is reasonably required and necessary for its proper corporate financing, and the construction programme aforesaid.

That said utility is able to service the additional debt.

That the proposed securities transaction is not inconsistent with the public interest, and the purpose or purposes thereof are permitted by and are consistent with the provisions of Chapter 137, 1935 Colorado Statutes Annotated, as amended by Session Laws of 1947, and that the Order sought should issue and should be made effective forthwith.

That bonds are to be issued and sold to Woodman of the World Life Insurance Society, of Omaha, Nebraska, and for the proper and easy identification thereof, shall be entitled "Greeley Gas Company, First Mortgage Bond, 4% Series, Due 1970," and shall bear a serial number on

the face thereof, as set forth on Pages 3 and 4 of Exhibit I, preceded by the letter "M," commencing with "M-1," and continuing in consecutive numbers to and including the number "M-227."

O R D E R

THE COMMISSION ORDERS:

That Greeley Gas Company, a Colorado corporation, be, and it hereby is, authorized and empowered to issue and sell to Woodman of the World Life Insurance Society of Omaha, Nebraska, Two Hundred Thirty-Five Thousand Dollars (\$235,000.00) principal amount of its First Mortgage 4% Bonds, dated March 15, 1948, as provided in its Indenture of Mortgage and Deed of Trust, more fully described in the Statement preceding, being Exhibit I, which by reference is made a part hereof, and maturing, subject to prior redemption, on March 15, 1970, said First Mortgage 4% Bonds to be issued under and to be secured by Company's Indenture of Mortgage and Deed of Trust aforesaid to The United States National Bank of Denver, as Trustee, dated as of March 15, 1948, entered into between Greeley Gas Company, applicant herein, and The United States National Bank of Denver, Trustee, at a price of one hundred percent of the principal amount thereof, plus accrued interest from March 15, 1948, to date of sale.

That the bonds to issue hereunder shall, for the proper and easy identification thereof, be entitled "Greeley Gas Company, First Mortgage Bond, 4% Series, Due 1970," and shall bear a serial number on the face thereof, as set forth on Pages 3 and 4 of Exhibit I, preceded by the letter "M," commencing with "M-1," and continuing in consecutive numbers to and including the number "M-227."

That Greeley Gas Company be, and it hereby is, authorized to use the proceeds received from the sale of said bonds for the construction, completion, extension, and improvement of its facilities, including an addition to present office building in Greeley, Weld County, Colorado, for the extension of its distribution system in Greeley and elsewhere, by the construction of additional mains, and the construction and acquisition of other facilities and equipment for the transmission and



distribution of artificial and natural gas for heating, power, and other purposes, to be sold and distributed to and among the inhabitants of the City of Greeley and other towns, cities, and places in Weld County, Colorado.

That Company shall make a certified report to the Commission not later than three (3) months after the sale of bonds heretofore authorized, stating the moneys received therefrom and in detail, expenses incident to such sale, accompanying the same with copies of the entries recorded on the books of Company as a result of the consummation of the financing as before provided.

That nothing herein shall be construed to imply any recommendation or guaranty of or any obligation with respect to said First Mortgage 4% Bonds, maturing March 15, 1970, or the interest thereon, on the part of the State of Colorado.

That the Commission retains jurisdiction of this proceeding, to the end that it may make such further order in the premises as to it may seem to be proper and desirable.

That the authority herein granted shall be authorized from and after this date, this Order hereby being made effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Malcom Erickson*

*Ralph C. Norton*  
*John R. Barry*  
Commissioners

Dated at Denver, Colorado,  
this 13th day of March, 1943.

original

(Decision No. 30087)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
SISTO FERRI, BOX 96, MORLEY, COLO- )  
RADO, FOR AUTHORITY TO TRANSFER PER- )  
MIT NO. A-2483 TO FRANK FERRI, PETE )  
FERRI, AND BARNEY FERRI, DOING BUSI- )  
NESS AS "SISTO FERRI AND SONS," )  
MORLEY, COLORADO. )

APPLICATION NO. 9066-PP-Transfer

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March 17, 1948  
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S T A T E M E N T

By the Commission:

By Decision No. 14711, of date February 2, 1940, Sisto Ferri, Morley, Colorado, was authorized to operate as a Class "A" private carrier by motor vehicle for hire for the transportation of:

coal and wood from the Colorado Fuel and Iron Company Mine at Morley, to customers residing in Morley, Starkville, Trinidad, Sopris, and intermediate points,

said operating rights being designated "Permit No. A-2483."

By the instant application, said permit-holder seeks authority to transfer Permit No. A-2483 to Frank Ferri, Pete Ferri, and Barney Ferri, co-partners, doing business as "Sisto Ferri and Sons," Morley, Colorado.

Inasmuch as the files of the Commission and the application herein show that said permit is in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to account of transferees; that there are no outstanding unpaid operating obligations against said permit; that transferees, pecuniarily and otherwise, are qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said operating rights, the Commission determined



to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

### FINDINGS

#### THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to outstanding indebtedness, if any.

### ORDER

#### THE COMMISSION ORDERS:

That Sisto Ferri, Morley, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. A-2483 -- being the operating rights granted by Decision No. 14711 -- to Frank Ferri, Pete Ferri, and Barney Ferri, co-partners, doing business as "Sisto Ferri and Sons," Morley, Colorado, subject to payment of outstanding indebtedness secured by mortgage, or otherwise, if any there be.

The right of transferees to operate under this order shall depend upon their compliance with all present and future laws and rules and regulations of the Commission.

This order is made a part of the permit authorized to be transferred.

That ton-mile tax deposit of transferor be transferred to account of transferees.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Watson  
John R. Barry  
Commissioners

Dated at Denver, Colorado,  
this 17th day of March, 1948.  
mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

REGARDING PROPOSED CANCELLATION )  
PICK-UP AND DELIVERY SERVICE )  
RAILWAY EXPRESS AGENCY, INC. AT )  
OURAY, COLORADO. )  
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Investigation and Suspension  
Docket No. 282

-----  
March 19, 1948  
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S T A T E M E N T

By the Commission:

On February 21, 1948 by Decision No. 29999 in the above proceeding, the Commission suspended until the 20th day of June, 1948 certain schedules of the Railway Express Agency, Inc., wherein it was proposed to cancel pick-up and delivery service in the City of Ouray, Colorado, and assigned same for hearing on the 23d day of March, 1948 at 9:30 A.M. in the County Court House, Ouray, Colorado.

The Commission is now in receipt of a letter from Mr. J. C. Hadley, Superintendent, Railway Express Agency, Inc., Denver, Colorado, stating in part, that, "With prospects that this matter may be satisfactorily worked out to conclusion within the very near future, am suggesting it may be found consistent to advance date of hearing for a ten-day or two-week period from March 23, and if agreeable to the Commission, such action will be appreciated."

F I N D I N G S

The Commission finds that the hearing now set for March 23, 1948, in Ouray, Colorado, should be vacated to be reset at a later date, if necessary.

O R D E R

It Is Ordered, That the proceeding under Investigation and Suspension Docket No. 282, now set for hearing on March 23, 1948, at 9:30 A.M. in the

County Court House, Ouray, Colorado be, and the same is hereby vacated, to be re-assigned for hearing at a later date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Hottel

John R. Barry  
Commissioners

Dated at Denver, Colorado  
this 19th day of March, 1948.

hn

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
UNITED AIR LINES, INC., 5959 SOUTH )  
CICERO AVENUE, CHICAGO, ILLINOIS, )  
FOR A CERTIFICATE OF PUBLIC CONVEN- )  
IENCE AND NECESSITY AUTHORIZING )  
SCHEDULED INTRASTATE AIR TRANSPOR- )  
TATION OF PERSONS AND PROPERTY, IN )  
BOTH DIRECTIONS, BETWEEN DENVER AND )  
GRAND JUNCTION, COLORADO. )

APPLICATION NO. 9014

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March 20, 1948  
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Appearances: Edward H. Nicholson, Esq.,  
Denver, Colorado, for  
applicant;  
Joseph W. Hawley, Esq.,  
Denver, Colorado, and  
Willard F. Bridgeman, Denver,  
Colorado, of The Public  
Utilities Commission of  
the State of Colorado, for  
the Commission.

S T A T E M E N T

By the Commission:

United Air Lines, Inc., a corporation, organized under the laws of the State of Colorado, which has qualified to do business intrastate in the State of Colorado, herein seeks a certificate of public convenience and necessity to operate as a common carrier, in scheduled intrastate air transportation of persons and property by air craft, in both directions, between Denver and Grand Junction, Colorado.

Public hearing on said application was had in Denver, Colorado, on March 3, 1948, after appropriate notice to all parties in interest, and was taken under advisement.

At the hearing, it appeared that applicant is authorized, among other things, to engage in the business of transporting mail, goods, wares, merchandise, freight, express, and passengers by means

of aerial navigation, and to conduct every kind of business relating to aerial navigation by any means whatever; that it is the holder of Federal Certificates of Public Convenience and Necessity issued to it pursuant to the Civil Aeronautics Act of 1938, as amended (49 U.S.C. 401 et seq.), authorizing it to engage in scheduled air transportation of persons, property, and mail, on routes designated as "Routes 1, 17, 57, and FAM 30;" that on its Routes 1 and 17, applicant has provided scheduled air transportation for many years to and from Denver, Colorado, and since amendment by Civil Aeronautics Board effective September 15, 1947 of its certificate of public convenience and necessity, it has furnished air transportation with respect to persons, property, and mail between the terminal point of Los Angeles, California, and to co-terminal points of New York, New York, Newark, New Jersey, Boston, Massachusetts, and Washington, D. C., via the intermediate points, among others, of Denver and Grand Junction, Colorado, such last-mentioned service, prior to said amendment of United's certificate having been furnished by Western Air Lines, Inc.

It further appeared that intrastate passenger traffic between Denver and Grand Junction has been extensive. Grand Junction is the trade, industrial, and transportation center of the Western Slope, and large numbers of people daily travel between Grand Junction and Denver. In the Month of September, 1946, 603 local intrastate airline passengers were carried between those two points -- 282 being passengers from Denver to Grand Junction, and 321 passengers from Grand Junction to Denver. Also, Civil Aeronautics Board has determined that public convenience and necessity require scheduled air transportation over applicant's existing Route No. 1 extending between those two points.

The record shows that pecuniarily and otherwise, applicant is adequately equipped to carry on the operation.

#### F I N D I N G S

##### THE COMMISSION FINDS:

That applicant is a common carrier of freight and express in



intrastate commerce by air, and as such, is subject to jurisdiction of this Commission.

That existing means of transportation between Grand Junction, Colorado, and Denver, Colorado, would be substantially improved by the continued operation in intrastate commerce service of the on-schedule air service of applicant; that public convenience and necessity require the authorization of said service; that applicant is fit, willing, and able to perform the said air transportation properly, and to conform to our rules and regulations and requirements -- present or future -- including those rules of the Civil Aeronautics Board which we may adopt, and that certificate of public convenience and necessity should issue therefor, subject, however, to the restrictions and conditions set forth in the Order following, which in the opinion of the Commission, public interest requires.

#### ORDER

Upon consideration of the evidence of record, and the application and files herein, the Commission having issued the foregoing Statement and Findings of Fact, which are hereby referred to and made a part hereof, by reference,

IT IS ORDERED, That present and future public convenience and necessity require, and will require, the proposed on-schedule operations, by air, of applicant; that it should be, and hereby is, authorized to engage in air transportation of persons and property in both directions, in intrastate and interstate commerce, on schedule, between Denver, Colorado, and Grand Junction, Colorado, via the route, or routes, described in its certificate of public convenience and necessity issued by Civil Aeronautics Board, as amended, said certificate being set forth with particularity in Exhibit No. 2, attached to the application herein, which by reference is made a part hereof, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

Applicant shall file its tariffs, rate schedules, and rules and regulations with this Commission, within thirty (30) days from the

date hereof.

Jurisdiction is hereby retained of this application and operations under the certificate herein granted, to the end that such further order, or orders, as to the Commission may seem proper, may be entered herein, if the Commission deems advisable.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson  
Ralph C. Horton  
John R. Barry  
Commissioners

Dated at Denver, Colorado,  
this 20th day of March, 1948.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

REGARDING APPLICATION OF CLASS ONE )  
RAIL CARRIERS TO INCREASE THE BASIC )  
ONE-WAY PASSENGER FARES FOR TRANS- )  
PORTATION IN COACHES BY 13.63%; ALSO )  
INCREASE ROUND-TRIP FARES FOR SUCH )  
TRANSPORTATION TO 180% OF SUCH PRO- )  
POSED BASIC ONE-WAY FARES. )  
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Application No. 9098

-----  
March 22, 1948  
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Appearances: T. A. White, Esq., 1531 Stout Street, Denver 2,  
Colorado, for applicants;  
H. F. Eno, 1531 Stout Street, Denver 2, Colorado,  
for D. & R.G.W. R.R. Co., and other applicants;  
W. W. Anderson, c/o Dorr Co., Cooper Bldg.,  
Denver, 2, Colorado, for 'Colorado Shippers'  
Conference;  
T. S. Wood, for Public Utilities Commission of the  
State of Colorado.

S T A T E M E N T

By the Commission:

In the instant application, the Class 1 Rail Carriers, viz: The Atchison, Topeka and Santa Fe Railway Company, Chicago, Burlington and Quincy Railroad Company, The Colorado and Southern Railway Company, The Chicago, Rock Island and Pacific Railway Company, Missouri Pacific Railroad Company, (Guy E. Thompson, Trustee), Union Pacific Railroad Company, and The Denver and Rio Grande Western Railroad Company, are seeking authority to increase their basic one-way fares for transportation in coaches by 13.63 per cent or from 2.2 to 2.5 cents per mile with a minimum fare of 15 cents; also to increase round-trip station to station fares in coaches to 180 per cent of the proposed basic one-way fares. To dispose of fractions of a cent on the one-way fares by dropping the fraction of less than one-half (.05) cent and by adding to the next full cent when the fraction is one-half (.05) cent or more, and on the round trip fares by adding sufficient to make the fare end in naught (0) or five (5).

A similar petition was filed with the Interstate Commerce Commission on December 29, 1947 and was assigned Docket No. 29397. The interstate petition was heard in Chicago on January 27, 1948. On February 10, 1948 the Interstate Commerce Commission issued its report and order authorizing on interstate traffic the increase being sought herein on Colorado intrastate traffic.

After the report of the Interstate Commerce Commission was rendered the petition before this Commission was assigned for hearing with due notice to the commercial organizations in the various communities of the State, on March 9, 1948 at 2 P.M. in the hearing room of the Commission, 330 State Office Building, Denver, Colorado.

At the beginning of the hearing, Mr. T. A. White, attorney for the applicants presented the report of the Interstate Commerce Commission as an exhibit and requested that the transcript and exhibits in the interstate case (docket 29,897), which had been furnished this Commission, and the records in applications nos. 5819, 8087, 8746 and 8934, be made a part of the record in the instant proceedings. This request was granted.

Application No. 5819 was the companion case to I.C.C. Ex Parte 148. Application No. 8087 was the companion case to I.C.C. Ex Parte 148 and 162. Application No. 8746 was the companion case to I.C.C. Ex Parte 166. Application No. 8934 was the companion case to I.C.C. Docket 29862, Increase In First Class Fares - Western Railroads.

Testimony in support of the application was presented by a witness for the D. & R.G.W. in particular and in general for all the Colorado carriers.

The average passenger miles operated in Colorado for the Class 1 carriers in 1946 was 3186.81 miles, and for the D. & R.G.W. (including the D. & S.L.) was 1212.67 or approximately 38 per cent of the total was D. & R.G.W. mileage.

The record shows that the other carriers are faced with the same increased and increasing costs of operations and a diminution of traffic as the D. & R.G.W. Therefore, the showing on the D. & R.G.W. would be representative of the other carriers.

The gross passenger business covering both state and interstate on the D. & R.G.W. for 1942 was \$5,205,085.21, which increased each year until 1945 when it reached a peak of \$10,777,262.00. In 1946 it dropped to \$7,373,905.23 and in 1947 to \$3,185,058.65. Likewise, its passenger miles and passenger train miles spiraled from 317,374,478 and 2,524,610 respectively in 1942 to 662,222,306 and 3,676,483, respectively in 1945. In 1946 they were 462,480,879 and 3,346,313 respectively, and in 1947, 152,734,490 and 2,484,810 respectively.



For the first eleven months of 1947 the D. & R.G.W. transported 424,201 revenue passengers in coaches and 145,789 revenue passengers in sleeping and parlor cars, or 74.4 per cent of its passenger business was coach passenger business. The average distance hauled per passenger in coaches was 163.2 miles and in sleeping and parlor cars 501.4 miles.

All figures shown cover both interstate and intrastate traffic, as intrastate business is not separated in the carriers' accounts. However, it was estimated that the intrastate business would represent approximately 50 per cent of the total business. It was also estimated that if the increase was authorized by this Commission, it would increase the coach revenue on the D. & R.G.W. by \$180,000 per year.

The following examples show representative results of the proposed increase.

Between Denver, Colorado

AND	Present		Proposed		Increase	
	O.W.	R.T.	O.W.	R.T.	O.W.	R.T.
Colorado Springs	\$ 1.65	\$ 3.00	\$ 1.87	\$ 3.40	\$ .22	\$ .40
Grand Jct. via Bond	6.48	11.70	7.36	13.25	.88	1.55
Grand Jct. via Canon City	9.89	17.85	11.24	20.25	1.35	2.40
Glenwood Spgs. via Bond	4.51	8.15	5.12	9.25	.61	1.10
Glenwood Spgs. via Canon City	7.92	14.30	9.00	16.20	1.08	1.90
Montrose via Bond	8.07	14.55	9.17	16.55	1.10	2.00
Alamosa	5.43	9.80	6.17	11.15	.74	1.35
Brush	1.94	3.50	2.20	4.00	.26	.50
La Junta	4.07	7.35	4.62	8.35	.55	1.00
Sterling	2.70	4.90	3.07	5.55	.37	.65
Limon	1.98	3.60	2.25	4.05	.27	.45
Trinidad	4.66	8.40	5.30	9.55	.64	1.15

O.W. - means one-way. R.T. - means round-trip.

In the past the D. & R.G.W. has maintained daily round-trip first class and coach excursion fares between Denver, Pueblo and intermediate points on the one hand and points on its main line Leadville to Grand Junction including points south of Grand Junction such as Delta, Montrose, Ridgway and Ouray, on the other hand, via diverse routes, viz: going via Bond and returning via Buena Vista or the reverse. Generally these fares have been published to expire the end of each year. The basis for these excursion fares have been approximately 75 per cent of the combination of the one-way fares covering the diverse routes on first class fares and 90 per cent on the coach fares.



No such fares have been published for the year 1948 for the reason as stated by the witness, they have withheld such publication awaiting the outcome of this proceeding.

The record shows that it is the intent of the D. & R.G. W. to republish similar reduced round-trip diverse route fares for the coming tourist season.

In the examples as previously set forth herein, any individual one-way fare increase ranges from 22 cents at Colorado Springs to \$1.35 at Grand Junction on the route via Pueblo and Buena Vista, and it is the judgement of the traffic officials that the proposed increase will not result in any substantial reduction in rail travel and will add a substantial amount in passenger revenue.

No one appeared in opposition to the request, although copies of our order were served on some 50 different communities throughout the state.

On the record as made in this proceeding we believe what we said in Decision 18528, application 5819 is very apropos at this time, viz:

"The Commission is of the opinion that state regulatory bodies should, within reasonable limits, assist in producing a pattern of unified national transportation. The Interstate Commerce Commission has deemed it wise, after investigation, to allow certain increases. While it might appear, after further investigation, that these increases may not be justified in certain specific instances, so far as intrastate traffic in Colorado is concerned, we believe it to be the best policy and less disturbing to vital transportation to allow these increases at the present time, retaining jurisdiction for the purpose of correcting such unequalities and hardships as may exist or may arise in the future if adjustments are not made by the rails voluntarily."

#### F I N D I N G S

After full consideration of the matters presented in the instant petition and the decision of the Interstate Commerce Commission in Docket No. 29897 - Increased Coach Fares - Western Railroads, (mimeographed), decided February 10, 1948, the Commission finds that the applicants herein should be authorized to establish maximum one-way passenger coach fares on the basis of 2.5 cents per mile, with a minimum fare of 15 cents, fractions of less than 0.5 cent to be dropped and fractions of 0.5 cent or greater to be increased to the next whole cent; that round-trip coach fares should be established on the basis of 180 per cent of the one-way fares, adding when necessary to make the resulting fare end in ".0" or ".5"; that the increased fares will yield a sub-

stantial increase in revenue of which the applicants are in need and to which they are justly entitled; that the resulting one-way and round-trip fares will be just and reasonable for the future.

O R D E R

IT IS ORDERED:

That this order shall become effective forthwith; that the above statement and findings are made a part hereof; that all common carriers by railroads, parties to this petition, operating as such within the State of Colorado, according as they participate in the transportation, be, and they are hereby, authorized to establish maximum one-way passenger coach fares on the basis of 2.5 cents per mile with a minimum fare of 15 cents, fractions of less than 0.5 cent to be dropped and fractions of 0.5 cent or greater to be increased to the next whole cent, and round-trip passenger coach fares on the basis of 180 per cent of the one-way fares, adding when necessary to make the resulting fare end in "0" or "5"; that said fares may be made effective on or before April 15, 1948, upon notice to this Commission and to the general public by not less than five (5) days' filing and posting in the manner prescribed in Section 16 of the Public Utilities Act; that all tariffs or supplements changing fares by authority of this order shall bear on their title page specific reference to this order; that jurisdiction is retained to make such further order or orders as may be necessary and proper.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Emerson

Ralph C. Hahn

John R. Barry  
Commissioners

Dated at Denver, Colorado  
this 22nd day of March, 1948.

hm

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
THE PUEBLO GAS AND FUEL COMPANY, A )  
CORPORATION ORGANIZED AND EXISTING )  
UNDER THE LAWS OF THE STATE OF )  
COLORADO, FOR AUTHORITY TO ISSUE )  
\$700,000 PRINCIPAL AMOUNT OF ITS )  
FIRST MORTGAGE BONDS. )  
-----

APPLICATION NO. 9051

-----  
March 19, 1948  
-----

Appearances: Lee, Shaw, and McCreery, Esqs.,  
Denver, Colorado, for applicant;  
Joseph W. Hawley, Esq., Denver,  
Colorado, of The Public Utilities  
Commission of the State of Colo-  
rado, for the Commission.

S T A T E M E N T

By the Commission:

The Pueblo Gas and Fuel Company, a Colorado corporation (hereinafter called "Company"), filed with this Commission a petition and application, pursuant to Sub-section (c) of Section 3 of Chapter 137 of the 1935 Colorado Statutes Annotated, as amended, for an order authorizing it to issue and sell \$700,000 principal amount of its First Mortgage Bonds (herein called "New Bonds"), to be dated March 1, 1948, to mature on March 1, 1973, to bear interest at a rate not in excess of  $3\frac{1}{2}\%$  per annum, and to be issued under and to be secured by Company's Indenture of Mortgage and Deed of Trust to The United States National Bank of Denver, as Trustee, dated as of March 1, 1948.

Company also asks for an order authorizing and approving the making of the accounting entries proposed in Paragraph Fourth in said application and petition.

Applicant is a corporation organized and existing under the laws of the State of Colorado, and is a public utility engaged in the

purchase, distribution and sale of natural gas in the City of Pueblo, Colorado, and adjacent fringe territory. All of the capital stock of Company (except Directors' qualifying shares) is owned by Public Service Company of Colorado, a Colorado corporation, and all of Company's operations are wholly within the State of Colorado.

For the year ended December 31, 1947, Company reports Operating Revenues of \$682,854.78, and Net Income of \$119,505.19 -- that is, the amount available for Dividends and Surplus.

As of December 31, 1947, Company reports its assets and liabilities as follows:

#### ASSETS

Property, Plant and Equipment . . . . .	\$1,754,075.30
Cash on Deposit with Trustee. . . . .	3,520.48
Current Assets. . . . .	237,431.91
Deferred Charges. . . . .	39,200.28
Total Assets. . . . .	<u>\$2,034,227.97</u>

#### LIABILITIES

Capital Common Stock. . . . .	\$ 350,000.00
Long Term Debt. . . . .	310,626.98
Current Liabilities . . . . .	349,381.04
Line Extension Deposits . . . . .	59,397.79
Reserves. . . . .	368,994.35
Capital Surplus . . . . .	455,784.11
Earned Surplus. . . . .	<u>140,043.70</u>

Total Liabilities \$2,034,227.97

It appeared that the authorized capital stock of the Company consists of \$1,500,000 par value, divided into 10,000 shares of Common Stock with a par value of \$100 each, and 5,000 shares of Preferred Stock of the par value of \$100 each.

Company has issued and outstanding:

(a) \$298,800 principal amount of First Mortgage Sinking Fund Bonds, 5% Series A, due September 1, 1952, issued under and secured by Company's Indenture of Mortgage and Deed of Trust dated September 1, 1922, as supplemented by a Supplemental Indenture dated as of September 1, 1942, to Manufacturers Trust Company, as Successor Trustee. All such bonds have been called for redemption on March 1, 1948.

(b) \$50,000 principal amount of 3% Promissory Note due April 21, 1948, payable to First National Bank of Pueblo.

(c) \$25,000 principal amount of 3% Promissory Note due March 21, 1948, payable to First National Bank of Pueblo.



(d) \$50,000 principal amount of 2% Promissory Note due April 17, 1948, payable to The American National Bank of Denver.

(e) 3,500 shares of Common Stock of the par value of \$100 each.

It is represented that Company proposes to sell the New Bonds privately to institutional investors without a public offering and that the net proceeds from the sale thereof, estimated to be approximately \$700,000 on the basis of a net price to Company of 100% of their principal amount without any allowance for expenses or accrued interest, will be used to retire all of the aforesaid debt securities of Company, and to raise approximately \$276,200 of new capital funds which will be added to the general funds of Company and used for plant additions, extensions and improvements during 1948 and 1949.

#### F I N D I N G S

##### THE COMMISSION FINDS:

That petitioner, The Pueblo Gas and Fuel Company, a Colorado corporation, is a public utility as defined in Section 3 of Chapter 137 of the 1935 Colorado Statutes Annotated, as amended;

That this Commission has jurisdiction of said applicant and the subject matter of the petition herein; that the Commission is fully advised in the premises; that the issue by Company of the securities proposed to be issued, as hereinabove set forth, is reasonably required and necessary for its proper corporate financing; that the proposed transactions are not inconsistent with the public interest; that the purpose or purposes thereof are permitted by, and are consistent with the provisions of Chapter 137 of the 1935 Colorado Statutes Annotated, as amended; that the Order requested herein should issue and should be made effective forthwith.

#### O R D E R

##### THE COMMISSION ORDERS:

That The Pueblo Gas and Fuel Company be, and it hereby is, authorized and empowered to issue and sell its First Mortgage Bonds in the principal amount of Seven Hundred Thousand Dollars (\$700,000.00) privately to institutional investors without a public offering thereof,



at a price to applicant which shall not be less than the principal amount thereof, such Bonds to be dated March 1, 1948, to mature March 1, 1973, to bear interest at a rate not in excess of three and one-half percent (3½%) per annum, and to be secured by an Indenture of Mortgage and Deed of Trust of Company to The United States National Bank of Denver, as Trustee, in the form submitted to this Commission as "Exhibit H," attached to the petition and application herein (the creation of the lien on the property of Company set forth in such Indenture being hereby approved), but with such modifications in the form of such Indenture as Company or its counsel may deem necessary or proper or find desirable in arranging for the disposition of said Bonds; and it is further

ORDERED, That The Pueblo Gas and Fuel Company be, and it hereby is, authorized to use the proceeds derived from the issue and sale of said \$700,000 principal amount of New Bonds to retire its presently outstanding bonds and other debt securities (or to reimburse to Company's treasury for money expended to effect such retirement) and to raise approximately \$276,200 of new capital funds for plant additions, extensions and improvements during 1948 and 1949, all as set forth in the application and petition herein; and it is further

ORDERED, That the First Mortgage Bonds authorized herein shall bear on the face thereof a serial number for the proper and easy identification thereof; that within sixty (60) days from the issuance and delivery of said Bonds, The Pueblo Gas and Fuel Company shall make a verified report to the Commission of such serial numbers placed on such Bonds; and it is further

ORDERED, That The Pueblo Gas and Fuel Company be, and it hereby is, authorized, upon the consummation of the financing hereinabove outlined to make the following accounting entries:

(a) To amortize the existing Unamortized Debt Discount and Expense on the presently outstanding bonds, by equal monthly charges to income to the maturity date of the presently outstanding bonds, to-wit, September 1, 1952; and

(b) To amortize the net of premiums received, if any, and expenses incurred in connection with the proposed issue of the New Bonds, by

equal monthly charges or credits (as the case may be), to income to the maturity date of said Bonds, to-wit, March 1, 1973;

and it is further

ORDERED, That nothing herein shall be construed to imply any recommendation or guarantee of, or any obligation with respect to, said New Bonds or the interest thereon, on the part of the State of Colorado; and it is further

ORDERED, That within ninety (90) days from the date of sale of said New Bonds, The Pueblo Gas and Fuel Company shall make a verified report to this Commission of the issue and disposition of the New Bonds herein authorized, the consideration for which the New Bonds were sold, and the interest rate thereon, the disposition of the proceeds therefrom (including, in detail, the fees, commissions and expenses incident to such issue and sale), pursuant to the terms and conditions of this Order, accompanying the same with a new balance sheet which shall reflect the exercise of the authority herein granted, together with copies of the accounting entries recorded on the books of Company as a result of the consummation of the refinancing, as hereinabove provided; and it is further

ORDERED, That the right shall be reserved to applicant to re-open the proceedings herein upon good cause shown after hearing upon notice to all interested parties; and it is further

ORDERED, That the Commission retains jurisdiction of these proceedings to the end that it may make such further orders in the premises as it may deem to be proper or desirable; and it is further

ORDERED, That the authority herein granted shall be exercised from and after this date, this Order hereby being made effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Malcolm Erickson*

*Rueph C. Anton*

*John R. Barry*  
Commissioners

Dated at Denver, Colorado,  
this 19th day of March, 1948.

mw

original

(Decision No. 30092)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
THE DENVER AND RIO GRANDE WESTERN  
RAILROAD COMPANY FOR AUTHORITY TO  
DISCONTINUE ITS AGENCY STATION AT  
LARKSPUR, COLORADO.

APPLICATION NO. 9063.

March 23, 1948

Appearances: T. A. White, Esq., Denver,  
Colorado, and  
Otis Gibson, Esq., Denver,  
Colorado, for applicants;  
R. J. Heath, Esq., Denver,  
Colorado, for the Frink  
Creamery;  
Hartley Murray, Esq., Colorado  
Springs, Colorado, for  
Sinclair Brothers;  
Herman Borendeis, Denver,  
Colorado, pro se;  
Lou R. Higby, Greenland, Colo-  
rado, for the Greenland  
Land and Cattle Company;  
A. R. Ferris, 1810 Cody, Lake-  
wood, Colorado, for the  
Order of Railroad Telegraphers.

STATEMENT

By the Commission:

On January 28, 1948, The Denver and Rio Grande Western Railroad Company filed its petition to discontinue its agency station at Larkspur, Colorado.

The matter, pursuant to prior setting, and after appropriate notice to all parties in interest, was set for hearing, and heard, on February 20, 1948, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, and was there taken under advisement.

At the above hearing the evidence disclosed that the Town of Larkspur, Colorado, presently has an agency station on The Denver and Rio Grande Western Railroad, located approximately 10 miles south of the Town of Castle Rock, and 9 miles north of the Town of Palmer Lake, on the main



line of The Denver and Rio Grande Western Railroad, commonly referred to as The Royal Gorge Route, which extends from Denver to Salt Lake City, via Pueblo.

It also appears that the Town of Larkspur is also served by The Atchison, Topeka and Santa Fe Railway Company, which company is presently maintaining an agency station at Larkspur; that the Town of Larkspur has a population of approximately 200 people. The railroad tracks of the Rio Grande and Santa Fe run parallel from Denver to Pueblo, and by virtue of an agreement between the two railroads, all trains routed south travel over the Rio Grande tracks, and all trains routed north travel the Santa Fe tracks. Most of the distance the tracks are only a few hundred yards apart. The Rio Grande agent at Larkspur is on duty from 8:00 A. M., to 5:00 P. M., handling telegrams and express; while, on the other hand, the Santa Fe agent is on a night shift and has not handled very much express or many telegrams; however, it does appear that if the Rio Grande station is closed, the Santa Fe will open their station during the day, thereby giving the community of Larkspur telegram and express service throughout the day, the same service as now given by The Denver and Rio Grande Railroad Company.

On behalf of applicant, it was disclosed that very little freight and passenger business is handled by the Rio Grande. The total passenger business handled out of the Larkspur station for the first ten months of 1947 was \$95.54; milk and cream for the above period, \$396.74; freight forwarded and received for the ten months' period \$722.06, making a total of \$1213.34 revenue for the Larkspur station during the first ten months of the year 1947, while the total expenses for keeping the station open for the above period is the sum of \$5,021.68, or a loss of \$3,808.34.

Applicant contends that the closing of the station will not materially impair the service rendered to this community, as cattle shipments can be arranged for either at Palmer Lake or Castle Rock. The express and Western Union service can well be handled at the Santa Fe station, and small shipments of local freight by motor carrier.

Several protestants appeared, among whom were Robert L. Frink, Secretary of the Frink Creamery, who states his company has a plant located at Larkspur and did a gross business of \$259,000.00 last year. He stated that the closing of the station would, in his judgment, handicap his company's operation.

Herman Borendais, a cattle man, and Lou Higby, President of the Greenland Land and Cattle Company, both felt the closing of the station would prove to be an inconvenience to them in their business, and further, that the people of the Larkspur community are entitled to a continuation of the present service.

A. R. Ferris, of the Order of Railway Telegraphers, also appeared, protesting the closing of the station.

The Commission fully realizes that some inconvenience must necessarily be suffered by shippers when an agency station is discontinued, and the question we must determine in the instant case, as in all others of this character, is whether the inconvenience which will be suffered by shippers will offset the ultimate benefits accruing to the public as a whole served by the railroad through financial advantage that will accrue to the applicant by permitting the closing of the Larkspur station.

In the present application it would appear that a saving in excess of \$4,000.00 a year will be made. This will be double the amount of the total revenue received at the station. The situation here is in some respects similar to that shown in Re Closing by Chicago, Burlington & Quincy Railroad of its Agency Station at Stoneham, Colorado, decided by the Commission March 13, 1941, I. & S. Docket No. 239, Decision No. 16799, where we said:

"We believe that this question is one of managerial discretion, and under the law, unless the management acts arbitrarily in the exercise of said discretion, we cannot interfere with their decision. While some inconvenience may be suffered by receivers and shippers of freight, on account of lack of agency service, on the whole, we believe that experience has shown that l. o. l. freight, milk and carload freight can be satisfactorily handled in the manner that the



railroad proposes to handle it - at least, we cannot say that the inconvenience is out of proportion to the benefits, in the opinion of management, that will accrue to the railroad and the public, as a whole, served by the railroad, by abandonment of the station. See *Residents of Royalton, et al v. Central Vermont Railway Company*, 138 Atlantic, 782; *Southern Railway Company v. Public Service Commission, et al.* 10 S. E. (2nd) 769; *Lowden v. State, & Pacific* (2nd) 1061."

After careful consideration of the record, the Commission is of the opinion, and finds, that The Denver and Rio Grande Western Railroad Company should be authorized to close its agency station at Larkspur, Colorado, effective March 28, 1948, for the reasons heretofore set forth.

#### ORDER

##### THE COMMISSION ORDERS:

That the public convenience and necessity require that The Denver and Rio Grande Western Railroad Company be, and it hereby is, authorized to close its railroad agency station at Larkspur, Colorado, as set forth in its petition, effective March 28, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Nelson

John B. Barry  
Commissioners.

Dated at Denver, Colorado,  
this 23rd day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATIONS OF )  
PETITIONERS HEREIN FOR AMENDMENT OF )  
THEIR RESPECTIVE CERTIFICATES ( OR )  
EXTENSION) TO PROVIDE THAT THE )  
ORIGIN OF SIGHTSEEING SERVICE THERE- )  
UNDER SHALL BE WITHIN WHAT IS KNOWN )  
AS THE "PIKES PEAK REGION." )  
-----

ED AND MABEL TARMAN, CO-PARTNERS, )  
DOING BUSINESS AS "TARMAN TOURS," )  
722, WEST CUCHARRAS STREET, COLO- )  
RADO SPRINGS, COLORADO. PUC NO. )  
704. )  
-----

APPLICATION NO. 9101

CLEO L. STARKS AND MYRTLE B. STARKS, )  
CO-PARTNERS, DOING BUSINESS AS )  
"STARKS MOTOR TOURS," 703 SOUTH 6TH )  
STREET, COLORADO SPRINGS, COLORADO. )  
PUC NO. 101. )  
-----

APPLICATION NO. 9102

PAUL E. BROWN AND W. E. ANDERSON, )  
CO-PARTNERS, DOING BUSINESS AS )  
"GRAND VIEW TOURS," 1415 WOOD )  
AVENUE, COLORADO SPRINGS, COLO- )  
RADO. PUC NO. 134. )  
-----

APPLICATION NO. 9103

JAMES M. BLAYLOCK, DOING BUSINESS )  
AS "CADILLAC SIGHTSEEING COMPANY," )  
BOX 321, MANITOU SPRINGS, COLORADO. )  
PUC NO. 138. )  
-----

APPLICATION NO. 9104

E. F. ROWLETT AND KENNETH PEBELES, )  
CO-PARTNERS, DOING BUSINESS AS )  
"R AND P SCENIC TOURS," 24 EAST )  
COSTILLA, COLORADO SPRINGS, COLO- )  
RADO. PUC NO. 696. )  
-----

APPLICATION NO. 9106

VIRGIL T. THOMPSON, DOING BUSINESS )  
AS "COLORADO SPRINGS SIGHTSEEING )  
COMPANY," 320 EAST COLUMBIA, COLO- )  
RADO SPRINGS, COLORADO. PUC NO. 132, )  
213. )  
-----

APPLICATION NO. 9107

SCOTT R. MC CORMICK AND VERLIN  
MC INTIRE, CO-PARTNERS, DOING  
BUSINESS AS "ALLIED MOTOR TOURS,"  
113 EAST FIKES PEAK AVENUE, COLO-  
RADO SPRINGS, COLORADO, PUC NO. 164. )  
-----

APPLICATION NO. 9109

R. C. MASON, DOING BUSINESS AS  
"GREAT WESTERN TOURS," 3104 WEST  
COLORADO AVENUE, COLORADO SPRINGS,  
COLORADO, PUC NO. 107. )  
-----

APPLICATION NO. 9110

J. A. AND R. P. FINNEY, DOING BUSI-  
NESS AS "FINNEY AND SON," 942 SOUTH  
CONEJOS, COLORADO SPRINGS, COLORADO,  
PUC NO. 123. )  
-----

APPLICATION NO. 9111

-----  
March 23, 1948  
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S T A T E M E N T

By the Commission:

IT APPEARING that applicants in the above-styled matters, in  
writing, have requested that their respective applications be dismissed,

And the Commission being now sufficiently informed in the  
premises,

FINDS That said request should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-styled applications be, and they hereby are,  
dismissed.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcom Erickson

Joseph C. Horton

John R. Barry  
Commissioners

Dated at Denver, Colorado,  
this 23rd day of March, 1948.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

REGARDING PROPOSED CANCELLATION )  
OF PRESENT RATES AND PROPOSED )  
ESTABLISHMENT OF INCREASED RATES )  
ON FUEL OIL, VIZ: RESIDUAL FROM )  
DENVER TO MINNEQUA, COLORADO. )  
-----

Investigation and Suspension  
Docket Number 280

-----  
March 22, 1948.  
-----

Appearances: John C. Street, Esq., C. A. Johnson Bldg.,  
Denver, Colorado, for The Colorado and  
Southern Railway Company, The Atchison,  
Topeka and Santa Fe Railway Company, and  
The Denver and Rio Grande Western Rail-  
road Company;  
William DeBoer, Continental Oil Bldg.,  
Denver, Colorado, for Colorado Fuel and  
Iron Corporation.

S T A T E M E N T

By the Commission:

By schedules filed to become effective on the 25th of November, 1947, The Atchison, Topeka and Santa Fe Railway Company and The Colorado and Southern Railway Company and The Denver and Rio Grande Western Railroad Company, herein before referred to as respondents, proposed to increase the rate on residual fuel oil from Denver, Colorado to Minnequa, Colorado from 11¢ per 100 pounds to 13¢ per 100 pounds and to increase the estimated weight from 6.6 pounds per gallon to 7.4 pounds per gallon.

Upon protest from the Colorado Fuel and Iron Corporation, the Commission suspended until March 24, 1948, unless otherwise ordered, the operation of the proposed changes and assigned the matter for hearing in Denver, Colorado in the Hearing Room of the Commission on January 8, 1948.

An exhibit of record shows the following history of the rates and estimated weights on residual fuel oil, distillate fuel oil and gasoline in tank cars, carloads, from Denver, Colorado to Minnequa, Colorado.



RESIDUAL FUEL OIL				DISTILLATE FUEL OIL AND GASOLINE			
EFFECTIVE DATE		ESTIMATED		EFFECTIVE DATE		ESTIMATED	
RATE IN		WEIGHT,		RATE IN		WEIGHT,	
CENTS PER		POUNDS PER		CENTS PER		POUNDS PER	
100 LBS.		GALLON		100 LBS.		GALLON	
7-15-39	22	7.4	(1)	7-15-39	17.5	6.6	(2)
1-1-40	13	6.6	(3)	1-1-40	13	6.6	(3), (4)
1-31-40	13	6.6	(5)				
4-1-41	9.5	6.6	(6)	4-1-41	9.5	6.6	(6)
4-5-41	9.5	6.6	(7)	4-5-41	9.5	6.6	(7)
8-31-44	9.5	6.6	(8)	8-31-44	9.5	6.6	(8)
5-30-46	9.5	6.6	(9)	5-30-46	9.5	6.6	(9)
1-16-47	11	6.6	(10)	1-16-47	11	6.6	(10)
11-25-47	(S)13	(S)7.4	(11)	11-25-47	13	6.6	(11)

- (1) Item 5490, C&S Ry. Tariff No. 1-R, Colo. P.U.C. No. 639; Item 260, Amendment No. 7, D&RGW RR. Tariff No. 5909-G, Colo. P.U.C. No. 304.
- (2) Item 5560, C&S Ry. Tariff No. 1-R, Colo. P.U.C. No. 639; Item 416-F, Amendment No. 18, D&RGW RR. Tariff No. 5909-G, Colo. P.U.C. No. 304.
- (3) Items 11 and 550-5, Supplement No. 19, D&RGW RR. Tariff No. 5909-G, Colo. P.U.C. No. 304.
- (4) Item 5560-A, Supplement No. 15, C&S Ry. Tariff No. 1-R, Colo. P.U.C. No. 639.
- (5) Items 265 and 5560, Supplement No. 17, C&S Ry. Tariff No. 1-R, Colo. P.U.C. No. 639.
- (6) Items 265 and 5560-D, Supplement No. 43, C&S Ry. Tariff No. 1-R, Colo. P.U.C. No. 639.
- (7) Items 11-A and 550-5-A, Amendments Nos. 27 and 34, respectively, D&RGW RR. Tariff No. 5909-G, Colo. P.U.C. No. 304.
- (8) Items 300 and 3125, Western States Tariff No. 12, Colo. P.U.C. No. 37.
- (9) Item 35 and Index No. 120, D&RGW RR. Tariff No. 5909-I, Colo. P.U.C. No. 433.
- (10) Tariff of Increased Rates and Charges No. X-162, Colo. P.U.C. No. 315.
- (11) Items 300-E and 3815, Supplement No. 68, Western States Tariff No. 12, Colo. P.U.C. No. 37; Item 35-B and Index No. 120, Supplement No. 14, D&RGW RR. Tariff No. 5909-I, Colo. P.U.C. No. 433.
- (s) Rate and Estimated weight suspended by Order of the Public Utilities Commission of the State of Colorado in I&S Docket No. 280.



Respondents contend that the reduction of the estimated weight in 1940, from 7.4 to 6.6 pounds per gallon on residual fuel oil was obviously in error, as the 7.4 pounds was the standard estimated weight used in assessing freight charges throughout Western Territory.

Respondents testified that a general readjustment of the rates on petroleum and petroleum products was made after a thorough consultation between the rail carriers and the shippers of refined petroleum products, and was designed to dispose of numerous inequities in the rates and charges contained in prior publications of the rail carriers. It was made with a view of providing a uniform basis of rates from each refining point, or from points at which pipe line terminals are located. Under this adjustment a complete line of rates were published on petroleum and its products from Denver, Dupont, and La Junta, Colorado, and Cheyenne and Wyo., Wyoming to stations in Colorado on and east of the Colorado common point line, including the Canon City line of the A. T. & S. F. and D. & R. G. W. To a large extent, the rates published were arrived at by the use of the formula (commonly referred to as the "Revised Kansas Scale") prescribed by the Interstate Commerce Commission in Docket 28,380, 245 I.C.C. 617 -- "Petroleum products between Kansas, Oklahoma, Arkansas, Missouri, and Colorado". The adjustment involved herein is a part of this general adjustment.

The tank car mileage paid by the respondents to the tank car companies is shown as being two (2) cents per mile. The car mile and ton mile earnings on an 8,000 gallon tank car after deducting the car mile charge, under the present rate and the estimated weight of 6.6 pounds per gallon are 43.2 and 1.64 cents respectively, and under the proposed rate and estimated weight of 7.4 pounds per gallon 58.4 and 1.97 cents, respectively. Respondents makes comparison of these earnings with those with several other points among which are Amarillo, Texas, 329 miles, Great Bend, Kansas, 353 miles, Sinclair, Wyoming 384 miles, Wichita, Kansas, 451 miles and Casper, Wyoming, 460 miles, which range from 42.4¢ per car mile and 1.43¢ per ton mile from Casper, to 60.8¢ per car mile and 2.05¢ per ton mile from Amarillo. The rate from all of the above named interstate origins to Minnequa, Colo., is the same, viz:

36 cents per 100 pounds, with a range in distance from 329 to 460 miles.

On the basis of an 8,000 gallon tank car and a rate of  $9\frac{1}{2}$  cents per 100 pounds, the freight charges would be \$50.16. On January 16, 1947 the rate was increased to 11 cents per 100 pounds or an increase of 15.79 per cent in the freight charges and on November 20, 1947 to 12.1 cent per 100 pounds or an increase of \$13.73 per car, which results in a percentage increase of 27.37 over the charges under the  $9\frac{1}{2}$  cent rate. Under the proposed rate and estimated weight the increase over the  $9\frac{1}{2}$  cent basis would amount to \$34.50 or 68.78 per cent.

An exhibit introduced by protestant shows all the carload commodity rates and revenues from Denver to Minnequa wherein the percentage increase per car, including the x-166 increases, range from 18.8 per cent on lime rock to 50.5 per cent on petroleum products (excluding residual fuel oil), with an average increase on all commodities of 31.9 per cent. The average increase on slack coal to Minnequa from Canon City, Crested Butte, Trinidad and Walsenburg is shown as 25.2 per cent.

The record discloses that the rates on residual fuel oil to destinations other than Minnequa are more or less paper rates and mean little or nothing to the revenues of the carriers; that there is no truck movement of residual fuel oil from Denver to Minnequa, the entire movement being made by rail; that in 1941 there was approximately 80,000 barrels of 42 gallons per barrel, shipped from Denver to Minnequa and in 1947, 235,640 barrels.

In Docket 17,000 part 4, Petroleum and its Products, 171 I.C.C. 286 - 380 at page 340 the following statement appears:

"Fuel oil differs from gasoline and other refined oils in two important transportation characteristics, namely value and weight. Its value, approximately 4 cents per gallon, is considerably less than that of gasoline. Under the rates that move this commodity in territories other than the east, the estimated weight is 7.4 pounds per gallon as against a uniform estimated weight of 6.6 pounds per gallon on gasoline and other refined oils. In addition, fuel oil is competitive with other fuels, especially coal. Because of these differences, we have consistently held that the rates on fuel oil should be lower than those on gasoline. In the second Mid-Continent Case (112 ICC 421;

132 ICC 103; 136 ICC 140); we found that the rates on fuel oil from the Southwest to WIL territory should not be greater than 80% of the rates on refined oil, subject to estimated weights of 7.4 and 6.6 pounds per gallon, respectively. We have made similar findings in other cases, including the case known as the Indiana Case, 96 ICC 485, 112 ICC 481."

The record does not show the actual weight of the residual fuel oil. However, the Interstate Commerce Commission in numerous cases has found the estimated weight of 7.4 pounds per gallon to be reasonable. It has also found that the rates on residual fuel oil should not exceed 80 per cent of the rate on gasoline and other petroleum products where the estimated weight was 6.6 pounds per gallon.

#### FINDINGS

We find that the suspended schedules have not been justified.

This finding is without prejudice to the filing of new schedules naming the present rate and an estimated weight of 7.4 pounds per gallon on residual fuel oil.

#### ORDER

It Is Ordered, That this order shall become effective forthwith; that the statement and findings is hereby made a part hereof; that respondents herein be, and they are hereby notified and required to cancel the suspended schedules on or before March 24, 1948, upon notice to this Commission and to the general public by not less than one (1) day's filing and posting in the manner prescribed in Section 16 of the Public Utilities Act, without prejudice to the filing, on ten (10) days' notice of new schedules in accordance with the findings hereinbefore set forth; that this proceeding be discontinued.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph H. Hulse

John R. Barry  
Commissioners.

Dated at Denver, Colorado  
this 22nd day of March 1948.

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original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
HOWARD L. SODERBERG AND WILLIAM A.  
WOOLFORD, DOING BUSINESS AS "BILL'S  
CITY TAXI," BOULDER, COLORADO, (PUC  
NO. 177), AND W. P. REES, DOING  
BUSINESS AS "DELUXE CAB COMPANY,"  
2027 13TH, BOULDER, COLORADO, (PUC  
NO. 1198), FOR AUTHORITY TO INCREASE  
TAXI RATES IN THE VICINITY OF  
BOULDER, COLORADO.

APPLICATION NO. 8460  
(PUC NOS. 177, 1198)

March 24, 1948

Appearances: E. B. Evans, Esq., Denver,  
Colorado, for applicants.

S T A T E M E N T

By the Commission:

This is an application by applicant common carriers named  
in the caption herein for authority to increase certain taxi rates  
described in the petition herein, as amended at the hearing, said  
proposed rates, as amended, being as follows:

For service under Decision No. 13587, dated May 25,  
1939, which service is conducted by Applicants  
Howard L. Soderberg and William A. Woolford, doing  
business as "Bill's City Taxi," under PUC No. 177,  
with authority to:

"conduct a taxicab service for the trans-  
portation on one-way passengers and their  
baggage between points within the City of  
Boulder and points within a radius of nine  
miles of the City of Boulder and between the  
City of Boulder and Ward, Colorado (an immediate  
return by passengers to be regarded as an ad-  
ditional trip), subject to the provision that  
the applicant shall charge not less than fifteen  
cents per car-mile when transporting one or  
more passengers, and twelve cents per mile for  
dead head service, that is: empty car move-  
ment to or from points where loaded movement  
starts or ends, and shall further be limited  
to cars carrying not to exceed five passen-  
gers on any one trip,"

The following charges are proposed:

"I. 25¢ per passenger, one way, in Zone 1,  
bounded as follows:

Baseline Road on the South, 24th Street  
 from Baseline Road to Pearl Street  
 Pearl Street to 28th Street  
 28th Street to 1st Avenue  
 First Avenue to Broadway  
 Broadway to 6th Avenue  
 Sixth Avenue to 4th Street  
 South on 4th Street to Spruce  
 West on Spruce to 3rd Street  
 South on West City Boundary Line to Baseline Road.

"II. 35¢ per passenger, one way, between points in Zone 1 and points in Zone 2, bounded as follows:

Chautauque Avenue extended to 30th Street  
 North on 30th Street to Valmont Road  
 West on Valmont Road to Intersection with 28th and Main Streets  
 West on Main Street to 26th Street  
 North on 26th Street to 9th Avenue extended  
 West on 9th Avenue extended to Broadway  
 North on Broadway to 10th Avenue  
 West on 10th Avenue to extension of 4th Street  
 South on 4th Street to 6th Avenue  
 West on 6th Avenue to 3rd Street  
 South on 3rd Street to Pearl Street  
 West on Pearl Street to Intersection of Pearl and Arapahoe Streets  
 East on Arapahoe Street to West Boundary Line of City  
 South on West Boundary Line of City to Chautauque Avenue extended.

"III. Between points in Zone 1 and 2 and the following points outside of Zone 2, as follows:

- (a) North of 9th Avenue and East of Broadway, rates will be charged at 20¢ per mile one way from the City Limits, in addition to City fare.
- (b) North Broadway, between 4000 and 4500 - 50¢ passenger.
- (c) Grotto and Canyon Park - 50¢ per passenger.
- (d) Liquor stores - 75¢ for 1 or 2 passengers, 25¢ per additional passenger, round trip.
- (e) Municipal Golf Course - \$1.00 for 1 or 2 passengers, 25¢ additional per passenger in excess of two.
- (f) Baseline Lake - \$1.00 for 1 or 2 passengers, 25¢ additional per passenger in excess of two.

"IV. BETWEEN POINTS IN ZONE 2:

- (a) From or to a point in the South part of Zone 2 to or from a point in the West, East or North part of Zone 2 or beyond, add 10¢ per passenger to Zone 2 rate.



(b) From or to a point in the East part of Zone 2 to or from a point in the West, South or North part of Zone 2 or beyond, add 10¢ per passenger to Zone 2 rate.

(c) From or to a point in the North part of Zone 2 to or from a point in the West, South or East part of Zone 2 or beyond, add 10¢ per passenger to Zone 2 rate.

(d) From or to a point in the West part of Zone 2 to or from a point in the South, East and North part of Zone 2, or beyond, add 10¢ per passenger to Zone 2 rate.

(e) Between points located in the West, North, East, or South parts of Zone 2, 35¢ per passenger.

**"V. OTHER TRIPS:**

20¢ per loaded car mile in addition to city fare.

For service pursuant to authority granted by Decision No. 26841, of date October 9, 1946, which authorizes:

"Passengers and baggage in taxicab service only, from and to points in the City of Boulder, Colorado, from and to points within a radius of thirty-five miles therefrom, subject to the following restrictions:

"(1) All transportation under the authorized extension shall originate or terminate in the City of Boulder, except that no service originating in Denver shall be performed.

"(2) No service shall be performed to or from Rocky Mountain National Park, Grand Lake or points south of Grand Lake on U. S. Highway No. 34 to Granby, or points on U. S. Highway 40 between Granby and Denver.

"(3) No sightseeing service shall be performed under this extension.

"(4) No service shall be performed in competition with the authority of W. P. Reas, d/b/a De Luxe Cab Company, under its certificate No. 1198.

"(5) All service to be performed shall be call and demand, and not on schedule."

all service under the proposed rates to be furnished under and subject to the following rules and regulations:

"(1) Fares: Fares shown in this tariff are for adults and children.

"(2) Children's fares: Children under six (6) years of age, when accompanied by a paying passenger, will be carried free; children between the ages of six and twelve (12) years of age, when accompanied by a paying passenger, will be carried at one-half fare.

"(3) Objectionable persons: The carrier reserves the right to refuse transportation to passengers under the influence of liquor or drugs, by refunding the passenger's fare.

"(4) Fares to be charged under the authorized extension shall be twenty-seven (27) cents per mile, one way, with fare and one-half for round-trip for the first two passengers, and 15¢ per mile per additional passenger one way or round trip. Waiting time will be charged at the rate of two dollars (\$2.00) per hour.

"EXCEPTION: In the operation under this certificate between Boulder and Estes Park, Colorado, and intermediate points, Lyons to Estes Park, applicant shall be limited to the use of not more than two (2) five (5) passenger automobiles. For the transportation of persons between Boulder and Estes Park, Colorado, and intermediate points, Lyons to Estes Park, during the times Rocky Mountain Motor Company operates a scheduled service between said points, the fare shall be not less than 120% of the fares charged by said Rocky Mountain Motor Company for transportation between said points."

For service by W. F. Rees, doing business as "De Luxe Cab Company, pursuant to Certificate of Public Convenience and Necessity No. 1198, the following charges are proposed for operations within five-mile radius of the City of Boulder:

- "I. 25 Cents per passenger, one way, in Zone 1, bounded as follows:

Baseline Road on the South, 24th Street from  
Baseline Road to Pearl Street  
Pearl Street to 28th Street  
28th Street to 1st Avenue  
First Avenue to Broadway  
Broadway to 6th Avenue  
Sixth Avenue to 4th Street  
South on 4th Street to Spruce  
West on Spruce to 3rd Street  
South on West City Boundary Line to Baseline  
Road.

- "II. 35 Cents per passenger, one way, between points in Zone 1 and points in Zone 2, bounded as follows:

Chautauque Avenue extended to 30th Street  
North on 30th Street to Valmont Road  
West on Valmont Road to Intersection with 28th  
and Main Streets  
West on Main Street to 26th Street  
North on 26th Street to 9th Avenue extended  
West on 9th Avenue extended to Broadway  
North on Broadway to 10th Avenue  
West on 10th Avenue to extension of 4th Street  
South on 4th Street to 6th Avenue  
West on 6th Avenue to 3rd Street  
South on 3rd Street to Pearl Street

West on Pearl Street to intersection of Pearl  
and Arapahoe streets  
East on Arapahoe Street to west boundary Line  
of City  
South on West Boundary Line of City to  
Chautauque Avenue extended.

"III. Between points in Zone 1 and 2 and the following  
points outside of Zone 2, as follows:

- (a) North of 9th Avenue and East of Broadway,  
rates will be charged at 20¢ per mile one way  
from City Limits, in addition to City fare.
- (b) North Broadway, between 4000 and 4500 -  
50¢ passenger.
- (c) Grotto and Canyon Park - 50¢ per passenger.
- (d) Liquor stores - 75¢ for 1 or 2 passengers,  
25¢ per additional passenger, round trip.
- (e) Municipal Golf Course - \$1.00 for 1 or 2  
passengers, 25¢ additional per passenger in excess  
of two.
- (f) Baseline Lake - \$1.00 for 1 or 2 passengers,  
25¢ additional per passenger in excess of two.

"IV. BETWEEN POINTS IN ZONE 2:

- (a) From or to a point in the South part of Zone  
2 to or from a point in the West, East or North  
part of Zone 2 or beyond, add 10¢ per passenger  
to Zone 2 rate.
- (b) From or to a point in the East part of Zone  
2 to or from a point in the West, South or North  
part of Zone 2 or beyond, add 10¢ per passenger  
to Zone 2 rate.
- (c) From or to a point in the North part of Zone  
2 to or from a point in the West, South or East  
part of Zone 2 or beyond, add 10¢ per passenger  
to Zone 2 rate.
- (d) From or to a point in the West part of Zone  
2 to or from a point in the South, East and  
North part of Zone 2, or beyond, add 10¢ per  
passenger to Zone 2 rate.
- (e) Between points located in the West, North,  
East or South parts of Zone 2, 35¢ per passenger.

"V. OTHER TRIPS:

20¢ per loaded car mile in addition to city fare.

## "RULES AND REGULATIONS GOVERNING THIS TARIFF"

### "RULE"

1. **Objectionable Persons** - The Company reserves the right to refuse transportation to persons under the influence of intoxicating liquor or drugs or those using profane and indelcent language or suffering from contagious, infectious or obnoxious disease.
2. **Return Trip** - Except for Round trip fare specified in III-D, an immediate return trip by passenger shall constitute an additional trip."

A public hearing was had in Boulder, Colorado, after notice to parties in interest, including the City Manager of Boulder, Colorado.

No one opposed the granting of the authority to publish the rates, rules and regulations proposed.

It was explained that the rates to the barracks of twenty-five cents per passenger were proposed on account of the fact that the barracks are located on University land, with a sole entrance from 24th Street on Water Street, which involves some extra travel.

A round-trip rate of seventy-five cents for one or two passengers to liquor stores located on North Broadway, outside City Limits, is based on experience. Practically all service is to and from the liquor stores, without any one-way business. Canyon Park Liquor Store, at Broadway and Pearl Street, is 1.4 mile from the City Limits, and Lowe's 12th Street Liquor Store is 2 miles distant. This, in the opinion of applicants, justifies a seeming discrimination for service to and from Grotto and Canyon Park, across the street from liquor stores, where a one-way fare per passenger is proposed.

Many streets extending into the fringe area beyond the Boulder City Limits are not through streets, so that residents in the area can only be served by use of round-about routes. For instance, only way to reach 10th Avenue from 6th Avenue is to travel from 4th Avenue on Broadway, 10th Avenue being a dead end.

Many of the roads are dirt roads in said fringe area, and ordinarily only demand for taxicab service is in bad weather, when roads are difficult to traverse.



Operating and financial statements were introduced by applicants in support of their request. Labor costs have increased twenty-five percent. Over 1940 prices, cost of a Ford has increased fifty percent. During the same period, tires have advanced fifteen percent, parts increases amount to thirty-three percent; gasoline costs fifty percent more. Insurance rates have been advanced from eighty dollars to one hundred dollars per car.

Rates within the City of Boulder in 1940 were ten cents per passenger any place in the city. Present charge is twenty-five cents per passenger anywhere in the city. About thirty to thirty-five percent of business during the daytime, and a much lesser percent of nighttime business, is affected by the increase. Rates proposed should produce an increase in gross revenue of about fifteen percent, and will enable applicants to stay in the black.

#### FINDINGS

The Commission is of the opinion, and finds, that the increases proposed are reasonable and should be authorized, upon the terms and subject to the conditions hereinafter set forth.

#### ORDER

##### THE COMMISSION ORDERS:

That the application of Howard L. Soderberg and William A. Woolford, co-partners, doing business as "Bill's City Taxi," Boulder, Colorado, and W. P. Rees, doing business as "De Luxe Cab Company," Boulder, Colorado, for an Order prescribing rates, charges, rules and regulations set forth in the Statement preceding, which by reference is made a part hereof, be, and the same hereby are, granted, and said carriers are hereby authorized to apply and to put into effect said rates, charges, rules and regulations upon notice to this Commission and to the general public by not less than one day's filing and posting in the manner prescribed in Section 16 of the Public Utilities Act.



That all outstanding unexpired Orders of this Commission authorizing or prescribing rates and charges for services to be performed by said respective carriers under said certificates of public convenience and necessity be, and they hereby are, modified to the extent necessary to permit the application of the increased rates and charges and rules and regulations herein authorized, but in all other respects, said Orders shall remain in full force and effect.

That jurisdiction is retained in the premises to make such further Order, or Orders, as may be necessary and proper.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson  
Ralph C. Norton  
John R. Barry  
Commissioners

Dated at Denver, Colorado,  
this 24th day of March, 1948.

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BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JAMES O. SMITH, BOX 942, ARVADA, )  
COLORADO, FOR A CLASS "B" PERMIT TO )  
OPERATE AS A PRIVATE CARRIER BY )  
MOTOR VEHICLE FOR HIRE. )

APPLICATION NO. 9138-PP

March 27, 1948

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver, Colorado.

Inasmuch as the motor carrier associations heretofore have indicated they have no objection to the granting of permits limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That James O. Smith, Arvada, Colorado, be, and he hereby is,

authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver, Colorado.

All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of this Commission.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Hinton

John R. Barry  
Commissioners

DATED at Denver, Colorado,  
this 27th day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
THOMAS P. MADDEN, 2308 SOUTH EMERSON  
STREET, DENVER, COLORADO, FOR A  
CLASS "B" PERMIT TO OPERATE AS A  
PRIVATE CARRIER BY MOTOR VEHICLE  
FOR HIRE.

APPLICATION NO. 9140-PP

March 27, 1948

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties; fertilizer from points within a radius of fifty miles of Denver, to Denver, Colorado; coal from mines in the northern Colorado coal fields to Denver, Colorado.

Inasmuch as the motor carrier associations heretofore have indicated they have no objection to the granting of permits limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Thomas P. Madden, Denver, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties; natural fertilizer from points within a radius of fifty miles of Denver, to Denver, Colorado; coal from mines in the northern Colorado coal fields to Denver, Colorado.

All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of this Commission.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcom Erickson

Joseph C. Watson  
John R. Barry  
Commissioners

DATED at Denver, Colorado,  
this 27th day of March, 1948.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
RAYMOND F. SIDES, KUTCH, COLORADO, )  
FOR AUTHORITY TO TRANSFER PERMIT NO. )  
B-1481 TO FRED WEBER, KUTCH, COLO- )  
RADO. )  
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APPLICATION NO. 9129-PP-Transfer

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March 29, 1948  
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S T A T E M E N T

By the Commission:

By Decision No. 7559, of date May 5, 1936, D. W. Meyerle was granted a Class "B" permit to operate as a private carrier by motor vehicle for hire for the transportation of:

farm products, including livestock, from point to point within a radius of fifteen miles of Kutch, Colorado, and from and to points in said area, to and from points in the State of Colorado, except Denver, Colorado,

said operating rights being designated "Permit No. B-1481."

Pursuant to authority contained in Decision No. 25210, of date December 1, 1945, said permit-holder transferred said operating rights to Raymond F. Sides, Kutch, Colorado, who, by the instant application, seeks authority to transfer said Permit No. B-1481 to Fred Weber, Kutch, Colorado.

Inasmuch as the files of the Commission and the application herein show that said permit is in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to account of transferee; that there are no outstanding unpaid operating obligations against said permit; that transferee, pecuniarily and otherwise, is qualified to carry on the operation, his net worth being \$6,000.00, and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said

permit, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

### FINDINGS

#### THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to outstanding indebtedness, if any.

### ORDER

#### THE COMMISSION ORDERS:

That Raymond F. Sides, Kutch, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. B-1481 -- being the authority granted by Decision No. 7559 -- to Fred Weber, Kutch, Colorado, subject to payment of outstanding indebtedness secured by mortgage, or otherwise, if any there be.

The right of transferee to operate under this order shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order is made a part of the permit authorized to be transferred.

That ten-mile tax deposit be transferred to account of transferee.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Hutton

John R. Barry  
Commissioners

Dated at Denver, Colorado,  
this 29th day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
GEORGE RICHEY, 4471 WEST 30TH AVE., )  
DENVER, COLORADO, FOR AUTHORITY TO )  
TRANSFER PERMIT NO. B-3638 TO C. W. )  
HOWARD AND RICHARD E. HOWARD, CO- )  
PARTNERS, DOING BUSINESS AS "C. W. )  
HOWARD & SON," 3046 HUMBOLDT STREET, )  
DENVER, COLORADO. )  
-----

APPLICATION NO. 9128-PP-Transfer

-----  
March 29, 1948  
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S T A T E M E N T

By the Commission:

On May 24, 1947, by Decision No. 28241, George Richey, Denver, Colorado, was authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of:

buildings between points within a radius  
of fifty miles of Limon, Colorado,

said operating rights being designated "Permit No. B-3638."

By the instant application, said permit-holder seeks authority to transfer Permit No. B-3638 to C. W. Howard and Richard E. Howard, co-partners, doing business as "C. W. Howard & Son," Denver, Colorado.

Inasmuch as the files of the Commission and the application herein show that said permit is in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to account of transferees; that there are no outstanding unpaid operating obligations against said permit; that transferees, pecuniarily and otherwise, are qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said permit, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized.

O R D E R

THE COMMISSION ORDERS:

That George Richey, Denver, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. B-3638 -- being the authority granted by Decision No. 28241 -- to C. W. Howard and Richard E. Howard, co-partners, doing business as "C. W. Howard & Son," Denver, Colorado, subject to payment of outstanding indebtedness secured by mortgage, or otherwise, if any there be.

The right of transferees to operate under this order shall depend upon their compliance with all present and future laws and rules and regulations of the Commission.

This order is made a part of the permit authorized to be transferred.

That ten-mile tax deposit be transferred to account of transferees.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Malcom Erickson*

*Ralph C. Norton*  
*John R. Barry*  
Commissioners

Dated at Denver, Colorado,  
this 29th day of March, 1948.

mw



original

(Decision No. 30100)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
LEO KLINKER, 610 WEST TOMICHI AVE., )  
GUNNISON, COLORADO, FOR AUTHORITY )  
TO TRANSFER PUC NO. 1797 TO GRANT )  
MELDRUM AND WARREN TRONE, CO- )  
PARTNERS, DOING BUSINESS AS "WHITE )  
TOP TAXI," 618 EAST VIRGINIA AVE., )  
GUNNISON, COLORADO. )

APPLICATION NO. 9130-Transfer

-----  
March 29, 1948  
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Appearances: Porter, Stewart and Carroll, Esqs.,  
Gunnison, Colorado, for applicants. •

S T A T E M E N T

By the Commission:

By Decision No. 28539, of date June 30, 1947, Leo Klinker, doing business as "White Top Taxi Service," Gunnison, Colorado, was authorized to operate as a common carrier by motor vehicle for hire for the transportation of:

passengers in cabs of not to exceed five-passenger capacity, plus driver, between points within the City of Gunnison, Colorado, and from and to said City of Gunnison, to and from all points within a radius of twenty-five miles of Gunnison, and also from Gunnison to the Town of Lake City and return, with the proviso that for service between Gunnison, on the one hand, and, on the other, points within a radius of twenty-five miles of Gunnison, and to Lake City, the rate for one passenger shall not be less than twenty-five cents per mile one way, with ten cents per mile for each additional passenger, and two and one-half cents per minute waiting time,

said operating rights being designated "PUC No. 1797."

By the instant application, Leo Klinker seeks authority to transfer said PUC No. 1797 to Grant Meldrum and Warren Trone, co-partners, doing business as "White Top Taxi," Gunnison, Colorado.



Inasmuch as the files of the Commission and the verified application herein show that said certificate is in good standing; that road tax has been paid; that passenger-mile tax deposit is to be transferred to account of transferees; that there are no outstanding unpaid operating obligations against said certificate; that transferees, pecuniarily and otherwise, are qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said operating rights, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

#### F I N D I N G S

##### THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to outstanding indebtedness, if any.

#### O R D E R

##### THE COMMISSION ORDERS:

That Leo Klinker, Gunnison, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 1797 --- being the authority granted by Decision No. 28539 --- to Grant Meldrum and Warren Trone, co-partners, doing business as "White Top Taxi," Gunnison, Colorado, subject to payment of outstanding indebtedness secured by mortgage, or otherwise, if any there be.

The tariff of rates, rules, and regulations of transferor shall become and remain those of transferees until changed according to law and the rules and regulations of this Commission.

That tax deposit be transferred to account of transferees.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Malcom Erickson*

*Joseph C. Hinton*  
*John R. Barry*  
Commissioners

Dated at Denver, Colorado,  
this 29th day of March, 1948.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
ESTATE OF KENNETH R. SWANSON, )  
DECEASED, FOR AUTHORITY TO TRANSFER ) APPLICATION NO. 9131-Transfer  
PUC NO. 74 TO HERBERT J. SWANSON, )  
P. O. BOX 13, ALLENS PARK, COLORADO. )  
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-----  
March 29, 1948  
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Appearances: Secor and Secor, Esq., Long-  
mont, Colorado, for appli-  
cants.

S T A T E M E N T

By the Commission:

By Decision No. 1099, of date February 19, 1927, as amended by  
Decision No. 1333, of date June 18, 1927, D. K. Dannels & Son were  
granted a certificate of public convenience and necessity to operate as  
common carriers by motor vehicle for hire for the transportation of:

freight between Longmont and Hewes Kirkwood,  
Colorado, and intermediate points, daily,  
except Sundays, from May 1 to October 1 of  
each year, and Tuesdays and Saturdays the  
balance of the year,

said operating rights being designated "PUC No. 74."

By Decision No. 3829, of date December 5, 1931, PUC No. 74 was  
extended to include the right to transport:

freight and express between Lyons and Peaceful  
Valley and between Lyons and Wind River Ranch  
and intermediate points, operation to be con-  
ducted over the route leading through Allens  
Park.

Pursuant to authority contained in Decision No. 19633, of date  
September 4, 1942, said certificate-holders transferred said operating  
rights to Shelby M. Dannels, who, pursuant to authority contained in Deci-  
sion No. 22634, of date August 23, 1944, transferred said PUC No. 74 to  
A. M. Nielsen, who, subsequently, pursuant to authority contained in Deci-

2-  
sion No. 26162, of date June 20, 1946, transferred PUC No. 74 to S. T. Gore.

By Decision No. 27698, of date February 28, 1947, said S. T. Gore was authorized to, and thereafter did, transfer PUC No. 74 to Kenneth R. Swanson, Allens Park, Colorado, who, on the 28th day of December, 1947, departed this life.

By the instant application, Estate of Kenneth R. Swanson, Deceased, requests that PUC No. 74 be transferred to Herbert J. Swanson, there being attached to the application herein copy of Decree of Transfer in the County Court of Boulder County, approving said action.

Inasmuch as the files of the Commission and the verified application herein show that said certificate is in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to account of transferee; that there are no outstanding unpaid operating obligations against said certificate; that transferee, pecuniarily and otherwise, is qualified and able to carry on the operation, and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said certificate, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

#### F I N D I N G S

##### THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to outstanding indebtedness, if any.

#### O R D E R

##### THE COMMISSION ORDERS:

That Estate of Kenneth R. Swanson, Deceased, be, and it hereby is, authorized to transfer all right, title, and interest in and to PUC No. 74 -- being the operating rights granted by Decision No. 1099, as amended by Decision No. 1333, and as extended by Decision No. 3839 -- to Herbert J. Swanson, Allens Park, Colorado, subject to payment of outstanding indebtedness secured by mortgage, or otherwise, if any there be.

The tariff of rates, rules and regulations of transferor shall

become and remain those of transferee, until changed according to law  
and the rules and regulations of this Commission.

That ton-mile tax deposit be transferred to account of transferee.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Nelson

John R. Barry  
Commissioners

Dated at Denver, Colorado,  
this 29th day of March, 1948.

mw



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
WATSON BROS. TRANSPORTATION CO., INC., )  
802 SOUTH FOURTEENTH STREET, OMAHA, )  
NEBRASKA, FOR AUTHORITY TO TRANSFER )  
INTERSTATE OPERATING RIGHTS TO WATSON )  
BROS. VAN LINES AND HEAVY HAULING )  
CO., 802 SOUTH FOURTEENTH STREET, )  
OMAHA, NEBRASKA. )  
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PUC NO. 1008-I

-----  
March 29, 1948  
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S T A T E M E N T

By the Commission:

Heretofore, Watson Bros. Transportation Co., Inc., Omaha, Nebraska, was authorized, subject to the provisions of the Federal Motor Carrier Act of 1935, to operate as a common carrier by motor vehicle in interstate commerce, and PUC No. 1008-I issued to it.

Said certificate-holder now seeks authority to transfer said operating rights to Watson Bros. Van Lines and Heavy Hauling Co., Omaha, Nebraska.

The records and files of the Commission fail to disclose any reason why said request should not be granted.

F I N D I N G S

THE COMMISSION FINDS:

That said transfer should be authorized.

O R D E R

THE COMMISSION ORDERS:

That Watson Bros. Transportation Co., Inc., Omaha, Nebraska, be, and it hereby is, authorized to transfer all its right, title, and interest in and to PUC No. 1008-I to Watson Bros. Van Lines and Heavy Hauling Co., Omaha, Nebraska, subject to the provisions of the Federal Motor Carrier Act of 1935, and subject to payment of outstanding



indebtedness secured by mortgage, or otherwise, if any there be.

That ton-mile tax deposit of transferor be transferred to  
account of transferee.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Hahn

John R. Barry  
Commissioners

Dated at Denver, Colorado,  
this 29th day of March, 1948.

MMW

Original

( Decision No. 30103 )

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
JULIUS BUSSARD, 3395 SOUTH LINCOLN  
STREET, ENGLEWOOD, COLORADO, FOR  
AUTHORITY TO LEASE TO GLADYS E.  
ROUSSEAU, DOING BUSINESS AS "COUR-  
TESY CAB," 3417 SOUTH BROADWAY,  
ENGLEWOOD, COLORADO, RIGHTS  
ORIGINALLY ISSUED IN APPLICATION  
NO. 2089, DECISION NO. 3002, AND  
APPLICATION NO. 5846, DECISION  
NO. 18452.

APPLICATION NO. 9135  
LEASE

March 17, 1948

Appearances: Worth Allen, Esq., Denver,  
Colorado, for Julius Bussard;  
Earl J. Hower, Esq., Denver,  
Colorado, for Gladys E. Rousseau.

S T A T E M E N T

By the Commission:

By the above-styled application, filed on March 17, 1948, Julius Bussard seeks authority to lease to Gladys E. Rousseau, certain operating rights therein described which are owned by said Julius Bussard, and were originally granted to Anna E. Kamholz on April 26, 1933, by Decision No. 3002, in Application No. 2089, and transferred to Julius Bussard on March 3, 1942, in Application No. 5846, Decision No. 18452, as more particularly set forth and described in a certain lease agreement, marked "Exhibit A," attached to said application, dated March 12, 1948, between Julius Bussard, Gladys E. Rousseau, and Maurice E. Hill, which said agreement, by reference, is made a part hereof.

Upon examination of said agreement, it appears that Gladys E. Rousseau, under a lease from Maurice E. Hill, which was authorized and

approved by the Commission, has been operating a taxicab service under a certificate of public convenience and necessity owned by said Hill, furnishing taxicab service in substantially the same area that Bussard is authorized to serve under his PUC No. 1450, a portion of which authority was originally granted by Decision No. 3002; that said Bussard also furnishes certain taxicab service in Westwood, Colorado, and other areas, pursuant to authority granted by the Commission, and furnishes certain line-haul service between Englewood and Fort Logan and other points.

It further appears that said parties contemplate that Bussard will continue his line-haul service, but will discontinue his taxicab operations conducted pursuant to Decision No. 3002 and Decision No. 18452, except for the transportation of:

"passengers, between Englewood, Denver, Littleton, Sheridan, Petersburg, and Fort Logan and other points in the vicinity of Englewood,"

which authority he desires to retain and to use in connection with the operation of his taxicab service in Westwood, now a part of the City and County of Denver, and the additional operation of the certain taxicabs which the City and County of Denver has authorized him to place in service in the City and County of Denver, said Gladys E. Rousseau now having the authority to furnish taxicab service between said reserved points under the Hill certificate, which authority she has leased. Such reservation, in view of that fact, does not, in effect, create additional certificate rights or permit two operators to operate under the same certificate.

In consideration for the leasing of said operating rights for a period commencing March 18, 1948, and ending June 30, 1951, by Bussard to her, the said Gladys Rousseau agrees to pay a monthly rental to Bussard of Two Hundred Dollars (\$200.00), the first month's rent under said lease, and the rental for the last month, to be paid within five

days after the effective date of the Order approving said lease by this Commission, subsequent payments to be paid on the first of each month, commencing with the month following said effective date.

The operating experience and pecuniary responsibility of Gladys E. Rousseau have been established to the satisfaction of the Commission.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the proposed lease is consistent with the public interest, and should be authorized.

### O R D E R

#### THE COMMISSION ORDERS:

That Julius Bussard, Englewood, Colorado, be, and he hereby is, authorized to lease to Gladys E. Rousseau, Englewood, Colorado, the operating rights described in the application herein, and Lease Agreement entered into by said parties, marked "Exhibit A," which by reference has been made a part hereof, upon the terms and subject to the conditions set forth in said Agreement, which said Agreement hereby is approved.

The tariff of rates, rules, and regulations of the lessor shall become and remain those of the lessee until changed according to law and the rules and regulations of this Commission.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Hutton

John R. Barry  
Commissioners

DATED at Denver, Colorado,  
this 17th day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
Theron G. Haworth, 4363 Saint Paul )	
Street, Denver, Colorado, for a )	<u>APPLICATION NO. 9139-PP.</u>
Class "B" permit to operate as a )	
private carrier by motor vehicle )	
for hire. )	
----- )	

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March 29, 1948  
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S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado, to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Theron G. Haworth, Denver, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in



making up the surface of the roads, from pits and supply points in the State of Colorado, to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties.

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

That the right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson

Joseph C. Norton

John P. Barry  
Commissioners.

Dated at Denver, Colorado,  
this 29th day of March, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
CARL W. HARDRICK, 316 EAST CORONA, )  
PUEBLO, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE ) APPLICATION NO. 9142-PP.  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
-----)

-----  
March 29, 1948  
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S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of coal from mines in Huerfano and Fremont Counties to Pueblo and to points within a radius of fifty miles of Pueblo; sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points within a radius of fifty miles of Pueblo, to road and building construction jobs within said radius of fifty miles of Pueblo, Colorado.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Carl W. Hardrick, Pueblo, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of coal from mines in Huerfano and

Fremont Counties to Pueblo and to points within a radius of fifty miles of Pueblo, Colorado; sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points within a radius of fifty miles of Pueblo, to road and building construction jobs within said radius of fifty miles of Pueblo, Colorado.

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

That the right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Hutton  
John B. Barry  
Commissioners.

Dated at Denver, Colorado,  
this 29th day of March, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
DANIEL BOTT, 2307 WEST 33RD AVENUE, )	
DENVER, COLORADO, FOR A CLASS "B" )	
PERMIT TO OPERATE AS A PRIVATE )	APPLICATION NO. 9141-PP.
CARRIER BY MOTOR VEHICLE FOR HIRE. )	
----- )	

-----  
March 29, 1948  
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S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of brick from brick yards to points within a radius of fifteen miles of Denver; sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points within a radius of fifty miles of Denver, to road and building construction jobs within said area, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver, to Valmont Plant of Public Service Company, near Boulder, Colorado, and to Great Western Sugar Company Plants, near Loveland, Longmont, Greeley, Fort Lupton, Brighton, and Johnstown, Colorado, and to Rocky Mountain Arsenal, near Denver, Colorado.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Daniel Bott, Denver, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of brick from brick yards (except Golden, Colorado yards), within a radius of fifteen miles of Denver to points in said area; sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points within a radius of fifty miles of Denver, to road and building construction jobs within said area, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver, to Valmont Plant of Public Service Company, near Boulder, Colorado, to Great Western Sugar Company Plants, near Loveland, Longmont, Greeley, Fort Lupton, Brighton, and Johnstown, Colorado, and to Rocky Mountain Arsenal, near Denver, Colorado.

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

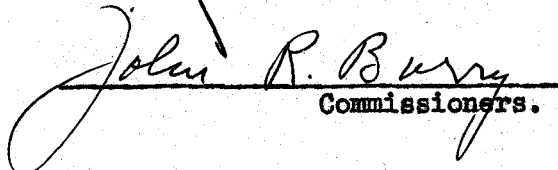
That the right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO





  
Commissioners.

Dated at Denver, Colorado,  
this 29th day of March, 1948.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
LEROY MOORE AND MUNROE WRIGHT, DEL  
NORTE, COLORADO, FOR AUTHORITY TO  
TRANSFER PERMIT NO. B-1543 TO LEROY  
MOORE, DEL NORTE, COLORADO.

APPLICATION NO. 9127-PP-Transfer

March 30, 1948

Appearances: Conour and Conour, Esqs., Del  
Norte, Colorado, for applicants.

STATEMENT

By the Commission:

By Decision No. 7046, A. A. Million and O. L. Million, Del Norte, Colorado, were authorized to operate as Class "B" private carriers by motor vehicle for hire for the transportation of:

farm products from point to point within a radius of fifteen miles of Del Norte, Colorado, and livestock from point to point within the above area, and from said area to Alamosa, Walsenburg, Pueblo, and Denver, Colorado, with back-haul from these points of seed grain ordered by customers before applicants leave the area,

said operating rights being designated "Permit No. B-1543."

Pursuant to authority contained in Decision No. 26214, of date July 3, 1946, said permit-holders transferred said Permit No. B-1543 to Vern M. Carson, Del Norte, Colorado, who, pursuant to authority contained in Decision No. 27985, of date April 7, 1947, transferred said operating rights to Leroy Moore and Munroe Wright, co-partners, doing business as "Moore and Wright," Del Norte, Colorado.

By the instant application, said permit-holders seek authority to transfer Permit No. B-1543 to Leroy Moore — Munroe Wright desiring to withdraw from said partnership.

2.

Inasmuch as the files of the Commission and the application herein show that said permit is in good standing; that road tax has been paid; that ten-mile tax deposit is to be transferred to account of transferee; that there are no outstanding unpaid operating obligations against said permit; that Leroy Moore has purchased the one-half interest of Munroe Wright for the sum of Five Hundred Dollars, (\$500.00), \$250.00 having been paid, balance to be paid upon approval of transfer by the Commission; that transferee, pecuniarily and otherwise, is qualified to carry on the operation, his net worth being \$2,150.00, and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said operating rights, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

#### F I N D I N G S

##### THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to outstanding indebtedness, if any.

#### O R D E R

##### THE COMMISSION ORDERS:

That Munroe Wright be, and he hereby is, authorized to withdraw from the partnership of Leroy Moore and Munroe Wright, doing business as "Moore and Wright," Del Norte, Colorado, and said partnership of Leroy Moore and Munroe Wright should be, and hereby is, authorized to transfer all right, title, and interest in and to Permit No. B-1543 -- being the authority granted by Decision No. 7046 -- to Leroy Moore, Del Norte, Colorado, subject to payment of outstanding indebtedness secured by mortgage, or otherwise, if any there be.

The right of transferee to operate under this order shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order is made a part of the permit authorized to be transferred.

2

That ton-mile tax deposit of transferors be transferred to  
account of transferees.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. White

John R. Barry  
Commissioners

Dated at Denver, Colorado,  
this 30th day of March, 1948.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
LEWIS C. CAMP, PLATTEVILLE, COLO- )  
RADO, FOR AUTHORITY TO TRANSFER PUC )  
NO. 523 TO FREDERIC A. BETHKE, DOING )  
BUSINESS AS "BETHKE TRUCK LINES," )  
GILCREST, COLORADO. )  
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APPLICATION NO. 9126-Transfer

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March 30, 1948  
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Appearances: Marion F. Jones, Esq., Denver,  
Colorado, for applicants.

S T A T E M E N T

By the Commission:

By Decision No. 3139, of date November 29, 1930, Lewis C. Camp, Platteville, Colorado, was granted a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire for the transportation of:

freight of all kinds from point to point within a radius of ten miles of Platteville, and between points in said area and other points in the State of Colorado, subject to the following conditions: (a) for the transportation of commodities other than household goods between points served singly or in combination by scheduled carriers, applicant shall charge rates which in all cases shall be at least twenty percent in excess of those charged by the scheduled carriers; (b) applicant shall not operate on schedule between any points; (c) applicant shall not be permitted, without further authority from the Commission, to establish a branch office or to have any agent employed at any point outside the territory around Platteville authorized to be served for the purpose of developing business,

said operating rights being designated "PUC No. 523."

Pursuant to authority contained in Decision No. 17011, of date April 18, 1941, said certificate-holder transferred to Adolph A. Bethke, Gilcrest, Colorado;

all that portion of PUC No. 523 which authorizes transportation of milk, cream, and dairy products between points within a radius of ten miles of Platteville, and between points within said area on the one hand, and other points within the State of Colorado, on the other hand,

it being provided that said Lewis C. Camp thereafter was not to engage in transportation of said commodities.

By the instant application, Lewis C. Camp seeks authority to transfer PUC No. 523 -- being the operating rights retained by him pursuant to transfer of a portion of said PUC No. 523 authorized by Decision No. 17011 heretofore mentioned -- to Frederic A. Bethke, doing business as "Bethke Truck Lines," Gilcrest, Colorado.

Inasmuch as the files of the Commission and the application herein show that said certificate is in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to account of transferee; that there are no outstanding unpaid operating obligations against said certificate; that the consideration for the transfer of said operating rights is the sum of Four Hundred Dollars (\$400.00), payable when transfer is approved by the Commission; that transferee, pecuniarily and otherwise, is qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said certificate, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

#### FINDINGS

##### THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to outstanding indebtedness, if any.

#### ORDER

##### THE COMMISSION ORDERS:

That Lewis C. Camp, Platteville, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No.



523 -- being the operating rights retained by him pursuant to transfer of a portion of said PUC No. 523 (originally granted by Decision No. 3139) authorized by Decision No. 17011 -- to Frederic A. Bethke, doing business as "Bethke Truck Lines," Gilcrest, Colorado, subject to payment of outstanding indebtedness secured by mortgage, or otherwise, if any there be.

The tariff of rates, rules, and regulations of transferor shall become and remain those of transferee until changed according to law and the rules and regulations of this Commission.

That ton-mile tax deposit be transferred to account of transferee.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Malcom Erickson*

*Frank C. Hahn*

*John R. Barry*  
Commissioners

Dated at Denver, Colorado,  
this 30th day of March, 1948.

HW

original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
HARRY WILLIAMS, 315 SOUTH FOURTH,  
BRIGHTON, COLORADO, FOR AUTHORITY  
TO TRANSFER PERMIT NO. A-674 TO  
LAWRENCE C. HENKEL, 290 NORTH MAIN,  
BRIGHTON, COLORADO.

APPLICATION NO. 9125-PP-Transfer

March 30, 1948

S T A T E M E N T

By the Commission:

By Decision No. 15707, of date July 20, 1940, as amended by  
Decision No. 16585, of date January 31, 1941, Carl Schwab, Brighton,  
Colorado, was authorized to operate as a Class "A" private carrier by  
motor vehicle for hire for the transportation of:

milk and dairy products for contract customers  
now or hereafter residing on farms along the  
highways or routes described as follows:  
commencing at a point on the Bridge Street  
Road (Highway No. 7) three miles west of  
Brighton; thence east along said road to  
Brighton at the intersection of Highway No.  
7 with U. S. Highway No. 85; thence north  
three miles to the North Section Line of  
Section 30, Township 1-North, Range 66-West;  
thence south through Brighton to Bromley  
Lane, with authority to serve off-highway  
milk producers residing on farms north and  
east of Brighton, namely, A. Delventhal,  
J. F. Kramer, Maggie Lines, Walter Gettal,  
and M. Barthel; thence east two miles and  
return to the North-South Highway No. 70,  
with authority to serve off-highway producers,  
namely, Dave Sigward, Ben Stevenson, George  
Bailey, John Wall, and Paul Mehl; thence south  
from Bromley Lane three miles; thence west  
through Henderson three miles, with authority  
to serve off-highway producers, namely Karrich  
Brothers, Schneider-King, and K. Nyholt; thence  
east to U. S. Highway No. 85; thence south to  
Denver; intending hereby to grant authority to  
applicant to serve those off-highway producers  
so long as they reside on the farms now oc-  
cupied by them, and with authority at all times  
to serve any producers who may reside on the  
route hereinabove described; and when the off-

route producers above named move to farms other than those located on the highways or routes herein specifically described, then the applicant will lose the right to serve such off-route farms from which said customers have moved, and also shall not have the right, except upon subsequent prior authorization by the Commission, to follow the customers so moving,

said operating rights being designated "Permit No. A-674."

Pursuant to authority contained in Decision No. 26132, of date June 18, 1946, Carl Schwab transferred said Permit No. A-674 to Harry Williams, Brighton, Colorado.

By Decision No. 26900, of date November 4, 1946, said operating rights were extended to include the right to:

extend his operations under the authority as set forth in Decision No. 26132 to include the right to transport milk and dairy products for contract customers now or hereafter residing on farms on or adjacent to that part of Highway No. 7 between Brighton, Colorado, and a point lying three miles east of Brighton, from said farms to Denver, with back-haul of empty cans.

By the instant application, Harry Williams seeks authority to transfer Permit No. A-674 to Lawrence C. Henkel, Brighton, Colorado.

Inasmuch as the files of the Commission and the application herein show that said permit is in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to account of transferee; that there are no outstanding unpaid operating obligations against said permit; that transferee, pecuniarily and otherwise, is qualified to carry on the operation, his net worth being \$6,800.00, and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said permit, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

#### F I N D I N G S

##### THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to payment of outstanding indebtedness, if any.

4

C O R D E R

THE COMMISSION ORDERS:

That Harry Williams, Brighton, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. A-674 -- being the operating rights acquired by him pursuant to Decision No. 26132, as extended by Decision No. 26900 -- to Lawrence C. Henkel, Brighton, Colorado, subject to payment of outstanding indebtedness secured by mortgage, or otherwise, if any there be.

The right of transferee to operate under this order shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order is made a part of the permit authorized to be transferred.

That ton-mile tax deposit be transferred to account of transferee.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Nelson

John R. Barry  
Commissioners

Dated at Denver, Colorado,  
this 30th day of March, 1948.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
ODUS SHELTON, FRASER, COLORADO, FOR )  
A CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
-----)

APPLICATION NO. 9123-PP.

-----  
March 30, 1948  
-----

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of logs from forests within a radius of twenty-five miles of Winter Park, to Winter Park, Colorado.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Odus Shelton, Fraser, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of logs from forests within a radius of twenty-five miles of Winter Park, to Winter Park, Colorado..



That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

That the right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson  
Ralph C. Hutton  
John R. Barry  
Commissioners

Dated at Denver, Colorado,  
this 30th day of March, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
L. D. ROUNTREE, ARVADA, COLORADO, )	
FOR A CLASS "B" PERMIT TO OPERATE )	
AS A PRIVATE CARRIER BY MOTOR )	APPLICATION NO. 9122-PP
VEHICLE FOR HIRE. )	
----- )	

-----  
March 30, 1948  
-----

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado, to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver, Colorado.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That L. D. Rountree, Arvada, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials

used in making up the surface of the roads, from pits and supply points in the State of Colorado, to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver, Colorado.

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

That the right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson

Joseph C. Norton

John R. Barry  
Commissioners.

Dated at Denver, Colorado,  
this 30th day of March, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JERRY C. COSTELLO, 120 HILL AVENUE, )  
GRAND JUNCTION, COLORADO, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A ) APPLICATION NO. 9121-PP.  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
-----)

-----  
March 30, 1948  
-----

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado, to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Jerry C. Costello, Grand Junction, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by

motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado, to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties.

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

That the right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Horton

John R. Barry  
Commissioners.

Dated at Denver, Colorado,  
this 30th day of March, 1948.

ea



Original

( Decision No. 30113 )

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE TELEPHONE )  
SERVICE FURNISHED BY RICHMOND R. )  
MANN, DOING BUSINESS AS "NUNN )  
TELEPHONE COMPANY," NUNN, COLORADO.)

CASE NO. 4969

(Application No. 6710)

March 27, 1948

Appearances: J. W. Hawley, Esq., and  
C. L. Flower, Denver, Colorado,  
for the Commission;  
Elsie Kent, et al., Complain-  
ants, pro se.

S T A T E M E N T

By the Commission:

On November 17, 1944, by Decision No. 22870, certificate of public convenience and necessity issued to S. E. Hobart, doing business as "Nunn Telephone Company," providing for the continued exercise by applicant of the rights theretofore recognized or confirmed by the Public Utilities Act, or granted by the Town of Nunn, Colorado, including the exercise of franchise rights granted by Ordinance No. 62 of the Town of Nunn, Colorado, and the construction of telephone lines and a telephone system for the purpose of furnishing communication to the people of Nunn and adjacent territory; the sale of communication or telephone service to the residents of said area; the continued maintenance, use, and operation of said telephone system, and the proposed construction, operation, and maintenance by applicant of extensions to said system for the furnishing of communication service to other inhabitants of the territory generally described as:

"Extending southerly from Nunn two and one-half miles, westerly from Nunn eight miles into Coal Bank Draw, northerly fifteen miles to a point within eight miles of the Colorado-Wyoming State Line, northeasterly twenty miles, generally in the valley of Lone Tree Creek and its tributaries, north of Pierce, in Weld County, Colorado."

It was provided in the certificate that it should not be construed as permitting or authorizing the applicant to extend his lines or service into territory then served by The Mountain States Telephone and Telegraph Company, except within the limits described in his application for local exchange service and rural lines extending therefrom, as described in the application, and long distance service by connection with Mountain States at the switchboard of applicant at Nunn, nor to operate as excluding the then operations of Mountain States in said territory, or any portion thereof, or any extension of said operations in non-competitive territory.

In the year 1945, Hobart sold his transmission lines and equipment to Richmond R. Mann, who has since continued the operation of the company under the same name. No application for transfer of the certificate appears of record.

Numerous complaints were made orally or filed with the Commission, to the effect that Mann had failed to furnish, provide, and maintain such service, instrumentalities, equipment, and facilities as promote the safety, health, comfort, and convenience of his patrons, employees, and the public, or adequate, efficient, just, and reasonable service, as required by the statutes of the State of Colorado and the rules and regulations of the Commission governing telephone utilities, and, by Decision No. 29449, of date December 1, 1947, the Commission, on its own motion, ordered an investigation and hearing to determine if Mann, as respondent, had failed or refused to comply with any or all of the provisions of the statutes of the State of Colorado and the rules and regulations of the Commission governing telephone utilities, or

whether any order or orders should be entered by the Commission in the premises, and respondent was required to show cause, by written verified answer within ten (10) days, why such orders should not be entered by the Commission as should be found proper from the evidence introduced at the hearing. No written verified answer was filed by the respondent, but a letter received from him was accepted as an answer and the matter set for hearing after due notice to all parties in interest.

The case was heard before the Commission on February 16, 1948, at 10:00 A. M., the respondent not appearing, either in person or by counsel, but submitting a letter to be read at the hearing which will be later referred to. The following named complainants testified, to-wit: O. A. Sidwell, W. E. Sidwell, Tony Jacobson, E. W. Barnaby, Kenneth Ayers, Russell Peterson, Ollie Kravig, W. P. Lemons, one Lightburn, one Turner, and George Williams. Their testimony, in brief, was to the following effect:

Respondent established public telephone service on certain lines owned by him in Nunn and extending to outside territory, and to other lines not owned by him, among which are The Dover Telephone Company (sixteen owners) known as Line No. 4, located north of Nunn; Line No. 17, located east of Nunn (twelve owners); Line No. 18, located east of Nunn (six owners); Line No. 6; and what is known as Line No. 20. These individually owned lines connect with the lines of respondent at varying distances from the town limits of Nunn. The owners of these lines have kept them in repair at their own expense, and have also repaired and rebuilt portions of respondent's lines in an effort to obtain better service.

Respondent has been absent from Nunn the greater part of the time since he took over the operation of the utility - probably ninety per cent of the time and as long as four months at a time, - and his representative was instructed to "leave things as they are" and take no action that would involve any expense during such absences. He

strung wires on the same poles used by the Dover line, causing interference, "noises or buzzes on the line," which he refused to remedy, and refused to permit his employees to do any work on the connecting lines. Usually but one man is employed, for only two hours per day. The main trouble is incurred because of lack of service through the central exchange. At times, one or another of these lines would be completely dead for as long as two to four months at a time, and often during the harvest season when telephone service was badly needed. Many of the lines of respondent have a clearance of but three to seven feet, some of them being so low that they are hidden by growing wheat, and some lying on the ground. Upon complaint as to service, respondent would promise to make repairs, but never kept his word. No credit in the monthly statements was given for outages. He has admitted that he did not know the location of all of his own lines or their condition. At times it has been difficult to reach the operator at Nunn, and often toll calls must be made elsewhere.

The attitude of the respondent is best indicated by his letter which was read in evidence, to-wit:

"THE NUNN TELEPHONE CO.  
NUNN, COLORADO

February 5, 1948

"The Public Utilities Commission  
State Office Building  
Denver, Colorado

"Gentlemen:

"As a follow up of our recent conversation of Monday (February 2), and in view of the fact that I will not be at the hearing on February 17 I feel that I should make a record, for your files, of the major statements, regarding The Nunn Telephone system, that I made at that time.

"I made the statement, during our conversation, that at no time since I took over this system in August of 1945 has it ever made expenses. In the time that I have owned it I have never taken so much as the price of a loaf of bread out of it. As a matter of fact I have had to take part of my income from my engineering work to help meet the general operating expenses. On Decem-



ber 15, 1947 I finally came to my senses and decided that from that time on I would not take one cent out of my engineering income to pay any part of the expenses of this system. If at any time this telephone system does not have enough money to meet the monthly operating expenses then this system will cease to exist.

"One of the topics of our conversation was the condition of my poles and lines with special reference to the average line clearance over the ground line. I can only repeat here just what I said last Monday about my lines.

"I fully realize that my lines are not what they should be. They are on the same poles they were on when I bought this system in 1945. With very few exceptions the poles are in the same holes they were in when I took over this system. In very few places other than road crossings, do my lines meet the required legal limit of 13 feet. If I should be required to raise the lines to meet the legal limit the cost would be out of reason and way out of line with the income to be had from these lines. I would not spend one cent to raise the lines. Instead I would take them down and sell the wire and salvage what insulators and other equipment I could. The phones connected with any line taken down would likewise be removed and salvaged.

"In my letter of December 10, 1947 in reply to your Show Cause order (Paragraph 1) I told you that I had just put an ex G. I. to work on maintaining some of the lines. In my letter I also told you that the system would not pay a full time man and that I would most likely have to make up the difference out of my own pocket. This man obtained a full time position with the Western Union so that as a result there is now no one here to do any line work. This system does not bring in enough money to pay a man to properly look after the lines and as I am no longer going to take my own money for this purpose it means that when a line goes out of order it will have to stay out.

"I regret that it is necessary for me to take such a step at this time. For me to ignore my engineering work, which brings in approximately \$800.00 per month, in order to devote my time to this telephone system is sheer nonsense. For me to continue to send money out here to keep this system alive is ridiculous and I am no longer going to do it.

"I fully realize that there are certain moral and legal obligations that a public utility must meet, however I also realize that I am under no obligations, either moral or legal, to give a service that does not pay its own way. After all this is a business, not a charitable organization.

"In line with this, I have turned everything over to the man that I am leaving in charge here. I have



given him instructions that if at any time there is not sufficient money at the end of the month, after meeting current expenses, to meet his due, he is to turn off the water, shut off the gas and electric service, drain the water pipes and lock the door when he leaves.

"I very much regret that I will be unable to attend the hearing. As I explained to you last Monday I will be in Chicago and do not expect to be back this way, except for a short business trip now and then, before September. You asked about my being represented by an attorney. I can only repeat that I am not going to throw good money after bad so will not go to the expense of being represented.

"Thank you for the courtesies extended me on my recent visit to your office.

Very truly yours

(Signed) RICHMOND R. MANN "

Thirty-two residents of Nunn and vicinity appeared at the hearing as complainants, and stated individually that, if sworn as witnesses, their testimony would corroborate that of the witnesses who testified as above recited. According to the testimony, the respondent has about eighty-eight customers on his lines.

#### F I N D I N G S

The Commission, being sufficiently advised in the premises, finds:

1. That respondent Richmond R. Mann has succeeded to all the interest of S. E. Hobart in the certificate of public convenience and necessity granted under Application No. 6710.
2. That said respondent has failed to keep his own telephone lines and equipment in good condition and repair.
3. That said respondent has failed to employ competent operators at his telephone exchange in Nunn, Colorado.
4. That said respondent has failed to promptly and efficiently repeat telephone calls from outside sources to connecting lines.

5. That said respondent has failed to maintain the minimum vertical clearance of wires above ground, as required by the National Bureau of Standards of the United States Department of Commerce, as adopted by this Commission.

6. That said respondent has failed to maintain continuous and adequate telephone service to the customers on his own line and to the telephone lines to which he has established public service.

7. That the evidence given at the hearing referred to is sufficient upon which to base an order for the cancellation of the certificate of public convenience and necessity under which the respondent has been operating.

### ORDER

#### THE COMMISSION ORDERS:

That the certificate of public convenience and necessity issued November 17, 1944, by Decision No. 22870, be, and the same hereby is, declared cancelled.

That this order shall become effective twenty (20) days from and after the date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Malcolm Erickson*

*Ralph C. Anton*

*John R. Barry*  
Commissioners

DATED at Denver, Colorado,  
this 27th day of March, 1948.

EHC

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF	)	
CLAUDE PEYTON, OF OVID, COLORADO	)	
TO TRANSFER TO DON ABBOTT AND STAN-	)	
LEY BENNETT, OF OVID, COLORADO, HIS	)	<u>APPLICATION NO. 9086</u>
CERTIFICATE OF PUBLIC CONVENIENCE	)	
AND NECESSITY NO. 1205.	)	
-----	)	

-----  
March 30, 1948  
-----

Appearances: Stanley Bennett, Ovid,  
Colorado, pro se.

S T A T E M E N T

By the Commission:

By Decision No. 11652, of date March 31, 1938, Lewis  
Williamson was authorized to operate as a common carrier by motor  
vehicle for hire, with authority to conduct a general cartage and  
transfer business, and for the transportation, not on schedule, of:

general freight between points within a radius  
of five miles of (and including) Ovid, Colorado,  
and the transportation of building materials  
and supplies for the Sterling Lumber Company,  
only, from and to, to and from, Ovid, Sterling,  
and Julesburg, with the proviso that for the  
transportation of all freight, except furniture  
and household goods, between points served by  
scheduled motor vehicle or railroad common  
carriers, rates should be charged, in all cases,  
which are at least twenty percent in excess of  
those charged by said scheduled carriers, and  
rates for transportation of furniture and  
household goods to be not less than those  
provided in tariff of the Colorado Transfer and  
Warehousemen's Association on file with the  
Commission.

By authority of the Commission (Decision No. 20863) Eugene D.  
DeManche, of Ovid, Colorado, acquired said certificate (PUC No. 1205), and  
on June 28, 1944, by Decision No. 22423, Claude Peyton, of Ovid, Colorado,  
acquired the within certificate.

At the hearing in Sterling, Colorado, on March 18, 1948, it appeared that the consideration for the transfer of said certificate, certain equipment and ton-mile tax deposit is the sum of \$1,800.00.

It also appeared that there are no outstanding unpaid obligations against said operation except current road tax due the State of Colorado, which transferees agree to assume; that the transferees are a co-partnership, consisting of Don Abbott and Stanley Bennett, and are pecuniarily qualified to carry on the operation of the said certificate.

After careful consideration of the record, the Commission is of the opinion, and finds, that said transfer should be authorized.

O R D E R

THE COMMISSION ORDERS:

That Claude Peyton of Ovid, Colorado, be, and he hereby is, authorized to transfer all his right, title and interest in and to PUC No. 1205 to Don Abbott and Stanley Bennett, a co-partnership of Ovid, Colorado; that ten-mile tax deposit of transferor shall be transferred and credited to account of transferees.

That the tariff of rates, rules and regulations of transferor shall become and remain those of transferees until changed according to law and the rules and regulations of this Commission.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Hutton

John R. Barry  
Commissioners.

Dated at Denver, Colorado,  
this 30th day of March, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF	)	
BERWIN L. WOOD, OF 214 CURTIS ST.,	)	
BRUSH, COLORADO, TO TRANSFER TO	)	<u>APPLICATION NO. 9092-PP.</u>
MELVIN JOSE, OF FORT MORGAN, COLO-	)	
RADO, HIS PERMIT NO. B-3674.	)	
-----	)	

-----  
March 30, 1948  
-----

Appearances: Melvin Jose, Fort Morgan,  
Colorado, pro se.

S T A T E M E N T

By the Commission:

By Decision No. 28001, on April 10, 1947, applicant herein was granted authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of:

milk from an area five miles on both sides of U. S. Highway No. 6 between Sterling and Roosevelt School, said Roosevelt School being situated on said highway approximately nineteen miles from Sterling, thence on U. S. Highway No. 6 to the Town of Brush; and milk, butter and cheese from Brush to Roosevelt School.

On November 28, 1947, by Decision No. 29432, Permit No. B-3674 was extended to include:

the transportation of milk from the McLagan Creamery in Brush, Colorado, to the Colorado Condensed Milk Company in Fort Lupton, Colorado, and the return of empty milk cans from the Colorado Condensed Milk Company in Fort Lupton, Colorado, to the McLagan Creamery Company, in Brush, Colorado.

By the instant application, Berwin L. Wood seeks authority to transfer said permit to Melvin Jose of Fort Morgan, Colorado.

At the hearing in Fort Morgan, on March 19, 1948, it appeared that the consideration for the transfer of said permit is the sum of \$700.00, to be paid on authorization of the transfer by this Commission.

It also appeared that there are no outstanding unpaid obligations against said operation; that transferor has operated continuously under said permit since the date of issuance.



The operating experience and pecuniary responsibility of the transferee was established to the satisfaction of the Commission, he having had considerable experience in the past in the operation of motor vehicles for hire.

The matter was taken under advisement.

After careful consideration of the record, the Commission is of the opinion, and finds, that said transfer should be authorized.

O R D E R

THE COMMISSION ORDERS:

That Berwin L. Wood, of 214 Curtis Street, Brush, Colorado, be, and he hereby is authorized to transfer all his right, title and interest in and to Permit No. B-3674 to Melvin Jose of Fort Morgan, Colorado.

That ton-mile tax deposit of transferor shall be transferred and credited to the account of the transferee herein.

That the right of transferee to operate under this order shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

That this order is made a part of the permit authorized to be transferred, and shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Hutton

John R. Barry  
Commissioners.

Dated at Denver, Colorado,  
this 30th day of March, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

REGARDING PROPOSED CANCELLATION  
OF PRESENT RATES AND PROPOSED  
ESTABLISHMENT OF INCREASED RATES  
ON FUEL OIL, VIA: RESIDUAL FROM  
DENVER TO MINNEQUA, COLORADO.

Investigation and Suspension  
Docket No. 280

-----  
March 24, 1948  
-----

S T A T E M E N T

By the Commission:

On November 24, 1947, Decision No. 29415, the Commission suspended for 120 days, or until March 24, 1948, a proposed rate of 13 cents per 100 pounds, estimated weight 7.4 pounds per gallon, on Residual Fuel Oil from Denver, Colorado to Minnequa, Colorado, and assigned the matter for hearing on January 8, 1948 in the hearing room of the Commission, 330 State Office Building, Denver, Colorado. The matter was heard as scheduled.

On March 22, 1948, Decision No. 30094, the Commission entered its order requiring the cancellation of the suspended schedules on or before March 24, 1948, upon notice to this Commission and to the general public by not less than one (1) day's filing and posting in the manner prescribed in Section 16 of the Public Utilities Act, without prejudice to the filing, on ten (10) days' notice of new schedules on the basis of the present rate and an estimated weight of 7.4 pounds per gallon.

It now appears that the rail carriers may want to file a petition for a rehearing and in order that they may not be stopped by the statutes from doing so the Commission feels that the suspension period should be extended and the effective date of its Decision No. 30094, dated March 22, 1948, should be postponed.

F I N D I N G S

The Commission finds that the operation of the schedules contained in the tariffs specified in its order under Decision No. 29415, dated November 14, 1947, should be further suspended, and that the use of the rates, charges,

regulations and practices therein stated should be further deferred until the 24th day of September 1948, unless otherwise ordered by the Commission, and no change should be made in such rates, charges, regulations and practices during the said period of suspension; that the effective date of the order under Decision No. 30094 dated March 22, 1948 should be postponed until September 24, 1948, unless otherwise ordered by the Commission.

O R D E R

IT IS ORDERED, That the operation of the schedules contained in the tariffs specified in the order under Decision No. 29415, dated November 14, 1947, be and the same is hereby further suspended, and the use of the rates, charges, regulations and practices therein stated be further deferred upon intrastate traffic until the 24th day of September 1948, unless otherwise ordered by the Commission, and no change shall be made in such rates, charges, regulations and practices during the said period of suspension; that the rates and charges and the regulations and practices thereby sought to be altered shall not be changed by any subsequent tariff or schedule, until this investigation and suspension proceeding has been disposed of or until the period of suspension has expired; that the effective date of the Commission's order entered under its Decision No. 30094 dated March 22, 1948, in this proceeding, be, and the same is hereby postponed until the 24th day of September 1948, unless otherwise ordered by the Commission; that a copy of this order be filed with said schedules in the office of the Public Utilities Commission of the State of Colorado and a copy be forthwith served upon respondents in this proceeding.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Horton

John R. Barry  
Commissioners

Dated at Denver, Colorado  
this 24th day of March, 1948.

hm

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
H. E. DAVIS, 501 SIMPSON ST., )  
LAFAYETTE, COLORADO. )  
)  
)  
)  
)  
-----

PERMIT NO. C-3.

-----  
March 30, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----

H. E. Davis,-----

requesting that Permit No. C-3-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-3-----, heretofore issued to-----

H. E. Davis,-----be,

and the same is hereby, declared cancelled effective March 3, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcolm Erickson*

*Ralph C. Norton*

*John R. Barry.*  
Commissioners

Dated at Denver, Colorado,

this 30th day of March, 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
W. K. CARROLL, DBA CARROLL )  
TRUCK LINE, RT. 2, PUEBLO, )  
COLORADO. )

PERMIT NO. C-113.

March 30, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
W. K. Carroll, d/b/a Carroll Truck Line,  
requesting that Permit No. C-113 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-113, heretofore issued to.....  
W. K. Carroll, d/b/a Carroll Truck Line, ..... be,  
and the same is hereby, declared cancelled effective March 1, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcolm Erickson*

*Ralph C. Norton*

*John R. Barry*

Commissioners

Dated at Denver, Colorado,

this 30th day of March, 1948



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
C. E. HECKENDORF DBA DILLON )  
HARDWARE & IMPLEMENT COMPANY, )  
1734 - 15th ST., DENVER 2, )  
COLORADO. )  
----- )

PERMIT NO. G-5440.

-----  
March 30, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
G. E. Heckendorf, DBA Dillon Hardware & Implement Company,.....  
requesting that Permit No. G-5440 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. G-5440, heretofore issued to.....  
G. E. Heckendorf, DBA Dillon Hardware & Implement Company,.....be,  
and the same is hereby, declared cancelled effective February 10, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson  
Ralph C. Houtant  
John R. Barry  
Commissioners

Dated at Denver, Colorado,  
this 30th day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
C. A. & LESTER A. GRAHAM, DBA )  
RIFLE FEED STORE, 201 WEST 2nd )  
ST., RIFLE, COLORADO. )  
)  
)  
)

PERMIT NO. C-12302.

-----  
March 30, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
C. A. & Lester A. Graham, d/b/a Rifle Feed Store,  
requesting that Permit No. C-12302.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-12302....., heretofore issued to.....  
C. A. & Lester A. Graham, d/b/a Rifle Feed Store,.....be,  
and the same is hereby, declared cancelled effective February 1, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcom Erickson*

*Ralph C. Horton*

*John R. Barry*

Commissioners

Dated at Denver, Colorado,  
this 30th day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JACOB HENKEL, JR., DBA HENKEL )  
COAL CO., FREDERICK, COLORADO. )  
 )  
 )  
 )  
 )  
-----

PERMIT NO. C-12409

-----  
March 30, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Jacob Henkel, Jr., DBA Henkel Coal Co.,.....  
requesting that Permit No. C-12409.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-12409....., heretofore issued to.....  
Jacob Henkel, Jr., DBA Henkel Coal Co.,.....be,  
and the same is hereby, declared cancelled effective February 15, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcolm Erickson*

*Ralph C. Horton*

*John R. Barry*  
Commissioners

Dated at Denver, Colorado,  
this 30th day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
D. M. SALE, RT 3, BOX 14, )  
MONTROSE, COLORADO )  
 )  
 )  
 )

PERMIT NO. C-15955

-----  
March 30, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
D. M. Sale,.....  
requesting that Permit No. ....C-15955.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. ....C-15955....., heretofore issued to.....  
D. M. Sale,.....be,  
and the same is hereby, declared cancelled effective February 25, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcom Erickson*

*Ralph C. Hottel*

*John R. Barry*

Commissioners

Dated at Denver, Colorado,  
this 30th day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
DICK POTTHOFF, WAUNETA, NEBR. )  
)  
)  
)  
)

PERMIT NO. C-16066.

-----  
March 30, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Dick Potthoff,.....  
requesting that Permit No. C-16066 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-16066, heretofore issued to.....  
Dick Potthoff,.....be,  
and the same is hereby, declared cancelled effective February 1, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson  
\_\_\_\_\_  
Ralph C. Wentworth  
\_\_\_\_\_  
John R. Barry  
Commissioners

Dated at Denver, Colorado,  
this 30th day of March, 1948.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
CHARLES A. DAVIS, BOX 91, )  
SEDALIA, COLORADO. )

PERMIT NO. C-16602.

March 30, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Charles A. Davis,.....  
requesting that Permit No. C-16602.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-16602....., heretofore issued to.....  
Charles A. Davis,.....be,  
and the same is hereby, declared cancelled effective January 9, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Norton

John R. Barry

Commissioners

Dated at Denver, Colorado,  
this 30th day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
H. E. HUGHES, RT 1, BOX 158-B, )  
HENDERSON, COLORADO. )  
)  
)  
)

PERMIT NO. C-17004.

-----  
March 30, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

H. E. Hughes,

requesting that Permit No. C-17004 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-17004, heretofore issued to.....

H. E. Hughes,

.....be,

and the same is hereby, declared cancelled effective March 2, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcolm Erickson*

*Ralph C. Morton*

*John R. Barry*

Commissioners

Dated at Denver, Colorado,

this 30th day of March, 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JOHN F. PIERCE, 2701 E. 42ND )  
AVE., DENVER 16, COLORADO. )  
)  
)  
)

PERMIT NO. C-17862.

March 30, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
John F. Pierce,  
requesting that Permit No. C-17862 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-17862, heretofore issued to  
John F. Pierce, be,  
and the same is hereby, declared cancelled effective March 21, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson  
Ralph C. Hartman  
John H. B. C.  
Commissioners

Dated at Denver, Colorado,  
this 30th day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ARNOLD THOMSEN, RT. 4, NORTH )  
PLATTE, NEBRASKA. )  
 )  
 )  
 )  
 )  
-----

PERMIT NO. C-18569.

-----  
March 30, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Arnold Thomsen,  
requesting that Permit No. C-18569 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-18569, heretofore issued to  
Arnold Thomsen, be,  
and the same is hereby, declared cancelled effective March 1, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson  
Robert C. Hartman  
John R. Barry  
Commissioners

Dated at Denver, Colorado,  
this 30th day of March, 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
SIDNEY E. OMOHUNDRO, DBA STATE )  
TRANSPORT SERVICE, 211 W. NINTH )  
ST., LEADVILLE, COLORADO. )  
----- )

PERMIT NO. C-18755.

-----  
March 30, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Sidney E. Omohundro, d/b/a State Transport Service,.....  
requesting that Permit No. C-18755 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-18755, heretofore issued to.....  
Sidney E. Omohundro, d/b/a State Transport Service,..... be,  
and the same is hereby, declared cancelled effective March 3, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcolm Erickson*

*Ralph C. Holbert*

*John R. Barry*

Commissioners

Dated at Denver, Colorado,  
this 30th day of March, 1948.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
V. L. ESTEP, 704 SO. 9TH, )  
ROCKY FORD, COLORADO. )  
 )  
 )  
 )  
----- )

PERMIT NO. C-18815.

-----  
March 30, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

V. L. Estep,.....

requesting that Permit No. C-18815.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-18815....., heretofore issued to.....

V. L. Estep,.....be,

and the same is hereby, declared cancelled effective January 3, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcom Erickson*

*Ralph C. Norton*

*John R. Barry.*

Commissioners

Dated at Denver, Colorado,

this 30th day of March, 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
KENNETH E. ELKERTON, 1013 MEEKER )  
ST., FT. MORGAN, COLO. )  
 )  
 )  
 )

PERMIT NO. C-18977.

-----  
March 30, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Kenneth E. Elkerton,.....  
requesting that Permit No. C-18977.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-18977....., heretofore issued to.....  
Kenneth E. Elkerton,.....be,  
and the same is hereby, declared cancelled effective March 4, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

-----  
William Erickson  
-----  
Ralph C. Norton  
-----  
John P. ...  
Commissioners

Dated at Denver, Colorado,  
this 30th day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
D. C. PONTINE, 2105 W. 31st Ave },  
DENVER, COLORADO. )

PERMIT NO. C-19079.

March 30, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

D. C. Pontine,.....

requesting that Permit No. ....C-19079.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. ....C-19079....., heretofore issued to.....

D. C. Pontine,.....be,

and the same is hereby, declared cancelled effective February 13, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcom Erickson*

*Ralph C. Norton*

*John R. Barry.*  
Commissioners

Dated at Denver, Colorado,

this 30th day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
M. B. WILLIAMS & FRANK WILLIAMS )  
JR., DBA WILLIAMS BROTHERS, )  
RT 4, BOX 78, GREELEY, COLORADO )  
----- )

PERMIT NO. C-19526.

-----  
March 30, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
M. B. Williams & Frank Williams, Jr., d/b/a Williams Brothers.....  
requesting that Permit No. C-19526.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19526....., heretofore issued to.....  
M. B. Williams & Frank Williams, Jr., d/b/a Williams Brothers,.....be,  
and the same is hereby, declared cancelled effective March 4, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcolm Erickson*

*Ralph C. Horton*

*John R. Berry*  
Commissioners

Dated at Denver, Colorado,  
this 30th day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
GWYER Y. WOOD, 221½ E. COSTILLA )  
COLORADO SPRINGS, COLORADO. )  
)  
)  
)

PERMIT NO. C-19537.

-----  
March 30, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Gwyer Y. Wood,.....  
requesting that Permit No. C-19537.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19537....., heretofore issued to.....  
Gwyer Y. Wood,.....be,  
and the same is hereby, declared cancelled effective March 25, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Horton

John R. Barry.  
Commissioners

Dated at Denver, Colorado,  
this 30th day of March,....., 1948.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
J. A. PARK & HAROLD BOTTOMLEY, )  
DBA J. A. PARK MACHINERY CO., )  
410 EAST 7th, PUEBLO, COLORADO. )  
----- )

PERMIT NO. C-19659.

-----  
March 30, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
J. A. Park & Harold Bottomley, d/b/a J. A. Park Machinery Co.,.....  
requesting that Permit No. C-19659.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19659....., heretofore issued to.....  
J. A. Park & Harold Bottomley, d/b/a J. A. Park Machinery Co.,.....be,  
and the same is hereby, declared cancelled effective March 2, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcom Erickson*

*Ralph C. Hinton*

*John R. Barry*  
Commissioners

Dated at Denver, Colorado,  
this 30th day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
DEMOTHENES SANDOVAL, KOEHLER, )  
NEW MEXICO. )  
)  
)  
)  
-----

PERMIT NO. C-19798.

-----  
March 30, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Demothenes Sandoval,.....  
requesting that Permit No. C-19798 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19798, heretofore issued to.....  
Demothenes Sandoval,.....be,  
and the same is hereby, declared cancelled effective February 7, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Horton

John R. Barry

Commissioners

Dated at Denver, Colorado,  
this 30th day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ROY S. WARD, FRUITA, COLORADO. )  
)  
)  
)  
)  
-----

PERMIT NO. C-19913.

-----  
March 30, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Roy S. Ward,.....  
requesting that Permit No. C-19913.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19913....., heretofore issued to.....  
Roy S. Ward,.....be,  
and the same is hereby, declared cancelled effective February 19, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcom Erickson  
\_\_\_\_\_  
Ralph C. Horton  
\_\_\_\_\_  
John R. Barry.  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,  
this 30th day of March,....., 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
PHILIP & MELBA NIERNBERG & MAX )  
& LOUIS WALDBAUM, DBA WM. DOM- )  
INICK CO., 768 LINCOLN, DENVER )  
3, COLORADO. )  
-----

PERMIT NO. C-19916.

-----  
March 30, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Philip & Melba Niernberg & Max & Louis Waldbaum, d/b/a Wm. Dominick Co.,  
requesting that Permit No. C-19916 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19916, heretofore issued to.....  
Philip & Melba Niernberg & Max & Louis Waldbaum, d/b/a Wm. Dominick Co., be,  
and the same is hereby, declared cancelled effective March 3, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Ericsson  
Ralph C. Hobart  
John A. Barry.  
Commissioners

Dated at Denver, Colorado,  
this 30th day of March, 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
E. R. STOCKER, R. 12 BOX 375, )  
GRAND JUNCTION, COLORADO. )  
)  
)  
)  
-----

PERMIT NO. C-20115.

-----  
March 30, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----

E. R. Stocker,  
-----

requesting that Permit No. C-20115 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20115, heretofore issued to-----

E. R. Stocker,  
----- be,

and the same is hereby, declared cancelled effective February 28, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcom Erickson  
-----  
Ralph C. Stanton  
-----  
John R. Barry  
-----  
Commissioners

Dated at Denver, Colorado,

this 30th day of March, 1948.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
A. B. & L. C. SMITH & A. B. )  
SMITH, JR., & J. H. TYRONE, DBA )  
S & A PACKING CO., 1250 IVANHOE )  
ST., DENVER, COLORADO. )  
-----

PERMIT NO. C-20320.

-----  
March 30, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
A.B.&L.C.Smith & A.B.Smith, Jr., & J. H. Tyrone, d/b/a S & A Packing Co.,.....  
requesting that Permit No. C-20320.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20320....., heretofore issued to.....  
A.B.&L.C.Smith & A.B.Smith, Jr., & J. H. Tyrone, d/b/a S & A Packing Co.,..... be,  
and the same is hereby, declared cancelled effective February 28, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcolm Erickson*

*Ralph C. Norton*

*John R. Barry*

Commissioners

Dated at Denver, Colorado,  
this 30th day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
BERNARD & DONALD WAITE, DBA )  
WAITE BROS. CROOK, COLORADO. )  
 )  
 )

PERMIT NO. C-20507.

March 30, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Bernard & Donald Waite, d/b/a Waite Bros.,  
requesting that Permit No. C-20507 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20507, heretofore issued to  
Bernard & Donald Waite, d/b/a Waite Bros., be,  
and the same is hereby, declared cancelled effective March 8, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Malcolm Erickson*  
*Ralph C. Hartson*  
*John R. Berry*  
Commissioners

Dated at Denver, Colorado,  
this 30th day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
LUCILLE MORROW, R.F.D. NO. 2, )  
LIMON, COLORADO. )

PERMIT NO. C-20592.

March 30, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Lucille Morrow,  
requesting that Permit No. C-20592 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20592, heretofore issued to  
Lucille Morrow,  
and the same is hereby, declared cancelled effective Feb. 14, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcolm Erickson*  
*Ralph C. Hinton*  
*John R. Barry*  
Commissioners

Dated at Denver, Colorado,  
this 30th day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
 )  
MILLER A. WILSON, R. 1, BOX 152-A,  
EATON, COLORADO. )  
 )  
 )  
-----

PERMIT NO. C-20593.

-----  
March 30, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----

Miller A. Wilson,-----

requesting that Permit No. C-20593 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20593, heretofore issued to-----

Miller A. Wilson,-----be,

and the same is hereby, declared cancelled effective February 7, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcolm Erickson*

*Ralph C. Horton*

*John R. Barry*  
Commissioners

Dated at Denver, Colorado,

this 30th day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
CLARENCE I. MILLER, RT. 1, )  
BOX 140, FOWLER, COLORADO. )  
)  
)  
)

PERMIT NO. C-20608.

-----  
March 30, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Clarence I. Miller,.....  
requesting that Permit No. C-20608.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20608....., heretofore issued to.....  
Clarence I. Miller,.....be,  
and the same is hereby, declared cancelled effective February 25, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\_\_\_\_\_  
*Malcom Erickson*  
\_\_\_\_\_  
*Ralph C. Stanton*  
\_\_\_\_\_  
*John R. Barge*  
Commissioners

Dated at Denver, Colorado,  
this 30th day of March, 1948.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
WILLIAM K. MARTZ, DBA BILL )  
MARTZ, ASPEN, COLORADO. )  
)  
)  
)

PERMIT NO. C-20613.

-----  
March 30, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
William K. Martz, d/b/a Bill Martz,  
requesting that Permit No. C-20613 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20613, heretofore issued to.....  
William K. Martz, d/b/a Bill Martz, be,  
and the same is hereby, declared cancelled effective February 16, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Horton

John R. Barry.

Commissioners

Dated at Denver, Colorado,  
this 30th day of March, 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
CHARLES C. YOST, GENERAL DELIVERY, )  
VICTORVILLE, CALIFORNIA. )  
)  
)  
)

PERMIT NO. B-2847.

-----  
March 30, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

Charles C. Yost,

requesting that Permit No. B-2847.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-2847....., heretofore issued to.....

Charles C. Yost,.....be,

and the same is hereby, declared cancelled effective March 1, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcolm Erickson*

*Ralph C. Horton*

*John R. Barry*

Commissioners

Dated at Denver, Colorado,

this 30th day of March, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
VERNON W. POTTS, JR., AIRWAY )  
CENTER, BILLINGS, MONTANA. )  
)  
)  
)  
)  
-----

PERMIT NO. B-3680.

-----  
March 30, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----

Vernon W. Potts, Jr.,-----

requesting that Permit No. B-3680 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-3680, heretofore issued to-----

Vernon W. Potts, Jr.,----- be,

and the same is hereby, declared cancelled effective February 8, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcom Erickson*

*Ralph C. Norton*

*John R. Barry*

Commissioners

Dated at Denver, Colorado,

this 30th day of March, 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
LAYTON R. FOSSETT, BOX 543, ) PERMIT NO. A-3422.  
GRAND JUNCTION, COLORADO. )  
-----)

-----  
March 30, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that his Permit No. A-3422, be suspended for six months.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Layton R. Fossett be, and he hereby is, authorized to suspend his operations under Permit No. A-3422 until September 6, 1948.

That unless said Layton R. Fossett shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said permit, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to private carrier permits, said permit, without further action by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Horton

John R. Barry

Commissioners.

Dated at Denver, Colorado,  
this 30th day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JOHN F. PIERCE, 2701 EAST 42nd ) PERMIT NO. B-3578.  
AVENUE, DENVER, COLORADO. )  
-----)

-----  
March 30, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that his Permit No. B-3578 be suspended for six months.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That John F. Pierce, be, and he is hereby, authorized to suspend his operations under Permit No. B-3578, until September 15, 1948.

That unless said John F. Pierce shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said permit, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to private carrier permits, said permit, without further action by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\_\_\_\_\_  
Malcom Erickson  
\_\_\_\_\_  
Ralph C. Horton  
\_\_\_\_\_  
John R. Barry  
Commissioners.

Dated at Denver, Colorado,  
this 30th day of March, 1948.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
C. H. COLE, DURANGO, COLORADO, FOR )  
A CERTIFICATE OF PUBLIC CONVENIENCE ) APPLICATION NO. 9018.  
AND NECESSITY. )  
-----)

-----  
March 26, 1948  
-----

O R D E R

THE COMMISSION ORDERS:

The Commission having under consideration application for a continuance in the above-styled matter filed by Chester W. Yates, on March 1, 1948, and objection of C. H. Cole, applicant herein, to the granting of said continuance,

IT APPEARING, That by said Motion for Continuance, Chester W. Yates sought a postponement of said hearing until "at least April 1, 1948", and that said application and other matters set for hearing in Durango on March 11, 1948, were continued for hearing upon the Commission's motion, to April 1, 1948, account inability to obtain services of a Reporter on March 11, 1948,

IT IS ORDERED, That said motion for continuance be, and the same hereby is, denied.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Hahn

John P. Berry  
Commissioners

Dated at Denver, Colorado,  
this 26th day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
EARL F. BUCKINGHAM, GLEN O. BUCKING- )  
HAM, HAROLD D. BUCKINGHAM, AND )  
OLIVER L. BUCKINGHAM, CO-PARTNERS, )  
DOING BUSINESS AS "BUCKINGHAM TRANS- )  
PORTATION COMPANY," OMAHA STREET )  
AND WEST BOULEVARD, RAPID CITY, )  
SOUTH DAKOTA, FOR AUTHORITY TO )  
TRANSFER INTERSTATE OPERATING RIGHTS )  
TO GREAT AMERICAN DISPATCH, INC., )  
1414 FOURTEENTH STREET, DETROIT, )  
MICHIGAN. )  
-----)

PUC NO. 546-I  
SUPPLEMENTAL ORDER

-----  
March 30, 1948  
-----

S T A T E M E N T

By the Commission:

By Decision No. 29993, of date February 24, 1948, Earl F. Buckingham, Glen O. Buckingham, Harold D. Buckingham, and Oliver L. Buckingham, co-partners, doing business as "Buckingham Transportation Company," Rapid City, South Dakota, were authorized to transfer all their right, title, and interest in and to PUC No. 546-I to Great American Dispatch, Inc., Detroit, Michigan.

It now appears that by said application, said certificate-holders sought only to transfer a portion of said operating rights, authority to be transferred being set forth in "Exhibit A," attached to said application.

F I N D I N G S

THE COMMISSION FINDS:

That Decision No. 29993, of date February 24, 1948, should be amended as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 29993, of date February 24, 1948, should be, and the same hereby is, amended, nunc pro tunc, as of said 24th day of February, 1948, by:

1. Inserting the words "a portion of" between the words "transfer" and "said," appearing at the end of the 7th line of the Statement contained in said decision, so that the second paragraph of said Statement shall read as follows:

"Said certificate-holders now seek authority to transfer a portion of said operating rights to Great American Dispatch, Inc., a Delaware Corporation, Detroit, Michigan."

2. Inserting the words "that portion of" after the word "to," being the third word in the 5th line of the Order contained in said Decision No. 29993, and adding the words "as set forth in Exhibit A attached to the application herein, which by reference is made a part hereof," following the figures and letter "546-I," appearing in said fifth line of said Order, so that the first paragraph of said Order, as amended, shall read:

"That Earl F. Buckingham, Glen O. Buckingham, Harold D. Buckingham, and Oliver L. Buckingham, co-partners, doing business as 'Buckingham Transportation Company,' Rapid City, South Dakota, be, and they hereby are, authorized to transfer all their right, title, and interest in and to that portion of PUC No. 546-I set forth in Exhibit A attached to the application herein, which by reference is made a part hereof, to Great American Dispatch, Inc., a Delaware corporation, Detroit, Michigan, subject to the provisions of the Federal Motor Carrier Act of 1935, and subject to payment of outstanding indebtedness secured by mortgage, or otherwise, if any there be."

3. Striking the sentence:

"That ten-mile tax deposit be refunded to transferors.",  
being the 9th line of said Order.

That except as herein amended, said Decision No. 29993 shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Huston

John R. Barry  
Commissioners.

Dated at Denver, Colorado,  
this 30th day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
MARVIN FUESZ, HAXTUN, COLORADO, FOR )  
AUTHORITY TO TRANSFER PERMIT NO. )  
B-2040 TO HAROLD YOST, BOX 319, )  
HAXTUN, COLORADO. )

APPLICATION NO. 9124-PP  
TRANSFER

March 30, 1948

S T A T E M E N T

By the Commission:

By Decision No. 10801, of date October 25, 1937, Charley Rush, Haxtun, Colorado, was authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of:

corn and wheat from point to point within a radius of fifteen miles of Haxtun, Colorado; lumber, tile, and brick in small lots (less than carload) from Denver to dealers in Haxtun; cement from factory at Fort Collins and plaster from the factory near Loveland to dealers at Haxtun, all of which service is to be rendered for customers residing within the fifteen-mile area around Haxtun, Colorado;

said operating rights being designated "Permit No. B-2040."

Pursuant to authority contained in Decision No. 28849, of date August 14, 1947, said permit-holder transferred said operating rights to Marvin Fuesz, who, by the instant application, seeks authority to transfer said Permit No. B-2040 to Harold Yost, Haxtun, Colorado.

Inasmuch as the files of the Commission and the application herein show that said permit is in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to account of transferee; that there are no outstanding unpaid operating obligations against said permit; that transferee, pecuniarily and otherwise, is qualified to carry on the operation, his net worth being \$13,900.00; and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files

disclose, who would desire to be heard in opposition to transfer of said operating rights, the Commission determined to hear, and has heard, said matter forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to outstanding indebtedness, if any.

O R D E R

THE COMMISSION ORDERS:

That Marvin Fuesz, Haxtun, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. B-2040 — being the operating rights granted by Decision No. 10901 — to Harold Yost, Haxtun, Colorado, subject to payment of outstanding indebtedness, secured by mortgage or otherwise, if any there be.

That the right of transferee to operate under this order shall depend upon his compliance with all present and future laws and rules and regulations of this Commission.

That ton-mile tax deposit be transferred to account of transferee.

That this order is made a part of the permit authorized to be transferred, and shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson

Joseph C. Hahn

Jola R. Barry  
Commissioners

DATED at Denver, Colorado,  
this 30th day of March, 1948.



original

(Decision No. 30152)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
GREELEY GAS COMPANY, GREELEY, COLO-  
RADO, FOR AN ORDER AUTHORIZING SAID  
COMPANY TO ISSUE SECURITIES, AND TO  
CREATE LIENS ON ITS PROPERTY WITHIN  
THIS STATE, AND THE APPLICATION OF  
THE PROCEEDS THEREFROM.  
-----

APPLICATION NO. 9081  
SUPPLEMENTAL ORDER

-----  
March 27, 1948  
-----

Appearances: Southard and Southard, Esqs.,  
Greeley, Colorado, for  
Greeley Gas Company;  
Joseph W. Hawley, Esq., Denver,  
Colorado,  
C. L. Flower, Denver, Colorado,  
and  
W. George Denny, Jr., Denver,  
Colorado, of The Public Utilities  
Commission of the State of Colo-  
rado, for the Commission.

STATEMENT

By the Commission:

On March 13, 1948, the Commission entered its decision and order in the above-styled matter, No. 30086, authorizing the sale by Greeley Gas Company of bonds of the par value of \$235,000.00.

It now develops that bonds to be marketed total \$235,000.00, instead of \$227,000.00, as set forth in the Indenture of Mortgage filed with the application, and that Paragraph 2 of our Order should be amended in accordance with the facts.

It has also been suggested by counsel for purchaser of said bonds that the authorization for spending of the proceeds of said sale obtained in said Order should be amended, so as to specifically show that Company is authorized to retire the outstanding four percent bonds, totalling \$126,000.00, and to pay the premium of \$6,300.00 required therefor out of the proceeds of said sale.

## FINDINGS

### THE COMMISSION FINDS:

Being now sufficiently informed in the premises, that said Order should be amended in said particulars.

## ORDER

### THE COMMISSION ORDERS:

That said Decision No. 30086 should be, and the same hereby is, amended, nunc pro tunc, as of said 13th day of March, 1948, by changing the words and figures "M-227." appearing at the end of the last line of the last paragraph of the Statement contained in said decision, on Page 6 thereof, to read "M-235," and that the Order contained in said Decision should be, and hereby is, amended, nunc pro tunc, as of said 13th day of March, 1948, by substituting in lieu of said Order, as it appears in said Decision No. 30086, the following:

"That Greeley Gas Company, a Colorado corporation, be, and it hereby is, authorized and empowered to issue and sell to Woodman of the World Life Insurance Society of Omaha, Nebraska, Two Hundred Thirty-Five Thousand Dollars (\$235,000.00) principal amount of its First Mortgage 4% Bonds, dated March 15, 1948, as provided in its Indenture of Mortgage and Deed of Trust, more fully described in the Statement preceding, being Exhibit I, which by reference is made a part hereof, and maturing, subject to prior redemption, on March 15, 1970, said First Mortgage 4% Bonds to be issued under and to be secured by Company's Indenture of Mortgage and Deed of Trust aforesaid to The United States National Bank of Denver, as Trustee, dated as of March 15, 1948, entered into between Greeley Gas Company, applicant herein, and The United States National Bank of Denver, Trustee, at a price of one hundred percent of the principal amount thereof, plus accrued interest from March 15, 1948, to date of sale.

"That the bonds to issue hereunder shall, for the proper and easy identification thereof, be entitled 'Greeley Gas Company, First Mortgage Bond, 4% Series, Due 1970,' and shall bear a serial number on the face thereof, as set forth on Pages 3 and 4 of Exhibit I, preceded by the letter 'M' commencing with 'M-1,' and continuing in consecutive numbers to and including the number 'M-235.'

"That Greeley Gas Company be, and it hereby is, authorized to use the proceeds received from the sale of said bonds for the retirement of Greeley Gas Company's outstanding 4% bonds, totalling \$126,000.00, and premium of \$6,300.00, and the construction, completion, extension, and improvement of its facilities, including an addition to present office building in Greeley, Weld County, Colorado, for the extension of its distribution system in Greeley and elsewhere, by the construction of additional mains, and the construction and acquisition of other facilities and equipment for the transmission and distribution of artificial and natural gas for heating, power, and other purposes, to be sold and distributed to and among the inhabitants of the City of Greeley and other towns, cities, and places in Weld County, Colorado.

"That Company shall make a certified report to the Commission not later than three (3) months after the sale of bonds heretofore authorized, stating the moneys received therefrom and in detail, expenses incident to such sale, accompanying the same with copies of the entries recorded on the books of Company as a result of the consummation of the financing as before provided.

"That nothing herein shall be construed to imply any recommendation or guaranty of or any obligation with respect to said First Mortgage 4% Bonds, maturing March 15, 1970, or the interest thereon, on the part of the State of Colorado.

"That the Commission retains jurisdiction of this proceeding, to the end that it may make such further order in the premises as to it may seem to be proper and desirable.

"That the authority herein granted shall be authorized from and after this date, this Order hereby being made effective forthwith."

That said Decision No. 30086, except as herein amended, shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Horton

John R. Barry  
Commissioners.

Dated at Denver, Colorado,  
this 27th day of March, 1948.

ca

Original

(Decision No. 30153)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION )  
OF C. C. WATSON AND M. R. WATSON )  
D/B/A WATSON TRUCK LINE, CRAIG, )  
COLORADO, FOR AUTHORITY TO PUB- )  
LISH RATES DIFFERENT THAN THOSE )  
PRESCRIBED BY THE COMMISSION )

Case No. 1585

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March 29, 1948.  
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Appearances: Truman A. Stockton, Jr., 1650 Grant St.,  
Denver, Colo., for applicant;  
A. J. Fregeau, 1700 17th St., Denver,  
Colo., for Weicker Transfer & Storage Co.;  
Ray Smith, Denham Bldg., Denver, Colo.,  
for Colorado Motor Carriers Association;  
T. S. Wood, Denver, Colorado, for the  
Commission.

S T A T E M E N T

By the Commission:

This matter is before the Commission on an application from C. C. Watson and M. R. Watson, d/b/a Watson Truck Line by Truman A. Stockton, Jr., their attorney seeking authority to change certain commodity rates, class rates and special services charges, as shown in Supplement to Appendix E-2, attached hereto.

The matter was heard in the hearing room of the Commission on December 22, 1947.

Mr. Fregeau stated that he was not opposed to the request of the petitioner as long as it was confined to its authorized territory. However, he was opposed to the extension of same to other parts of the State.

Mrs. Watson testified that the main reason for the change was to have the same basis of rates applicable on Colorado intrastate traffic as on interstate traffic; that much of the freight moved by her company consisted of both interstate and intrastate traffic, frequently in the same load, and that under such circumstances it is often impossible to ascertain whether the commodities being transported should move under the interstate or intra-



state rates. For example: shipments of pipe move into Craig by rail, destined to the Rangley oil field by truck. The question immediately arises whether the intrastate or interstate rate is the correct one to apply.

All concerned motor vehicle common carriers were served with a copy of the petition. However, no one in the territory appeared in opposition to the proposed changes.

### F I N D I N G S

The Commission finds that the request as set forth in the petition should be granted; that the resulting rates, rules and charges will be just and reasonable for the transportation of machinery, materials, supplies and equipment as described in Supplement to Appendix E-2 attached hereto and made a part hereof, and which are incidental to or used in the construction, operation and maintenance of facilities for the development and production of natural gas and petroleum products between points in the Counties of Routt, Mesa, Garfield, Moffat and Rio Blanco in the State of Colorado.

### O R D E R

IT IS ORDERED, That the above statement and findings are made a part hereof; that this order shall become effective, forthwith; that all motor vehicle common carriers and all private carriers by motor vehicle operating in intrastate commerce in the State of Colorado, to the extent they are affected, be, and they hereby are notified and required to cancel all schedules in conflict with the rates, rules and provisions referred to in the above findings on April 20, 1948, upon notice to this Commission and to the general public by not less than ten (10) days' filing and posting in the manner prescribed in Section 16 of the Public Utilities Act and Section 10, Chapter 120, Session Laws of 1931, as amended; that the rates, rules and provisions referred to in the above findings shall be published by all motor vehicle common carriers, and private carriers by motor vehicle, operating in intrastate commerce in the State of Colorado, to the extent they are affected, to become effective April 20, 1948, on notice to this Commission and the general public by not less than ten (10) days' filing and posting in the manner prescribed in Section 16 of the Public Utilities Act and Section 10, Chapter 120, Session Laws of 1931, as amended; that on and after



April 20, 1948, all motor vehicle common carriers, to the extent they are affected, shall cease and desist from demanding, charging and collecting rates and charges which shall be greater or less than those herein prescribed; that on and after April 20, 1948, all private carriers by motor vehicle, to the extent they are affected, shall cease and desist from demanding, charging and collecting rates and charges which shall be less than those herein prescribed; that this order shall not be construed so as to compel a private carrier by motor vehicle to be, or become a motor vehicle common carrier, or to subject any such private carrier by motor vehicle to the laws or liability applicable to a motor vehicle common carrier; that the order entered in Case No. 1585 on February 5, 1936, as since amended, shall continue in force until the further order of the Commission; that jurisdiction is retained to make such further orders as may be necessary and proper.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Norton

John R. Barry  
Commissioners

Dated at Denver, Colorado  
this

hn

SUPPLEMENT TO APPENDIX E-2

Exceptions to the Rules, Regulations  
and Rates on Movements of Heavy Commodities.

For the transportation of Machinery, Materials, Supplies and Equipment incidental to or used in the construction, operation and maintenance of facilities for the development and production of natural gas and petroleum products between points in the Counties of Routt, Mesa, Garfield, Moffat and Rio Blanco, in the State of Colorado.

The following rates in cents per ton of 2,000 pounds per mile will apply on the following commodities in straight or mixed shipments. Minimum weight 10,000 pounds.

<u>Miles</u>	<u>Rate</u>
10 or less	22
Over 10 but not over 25	16 $\frac{1}{2}$
Over 25 " " " 50	11
Over 50 " " " 75	9
Over 75 " " " 100	7 $\frac{1}{2}$
Over 100 " " " 150	6 $\frac{1}{2}$
Over 150 " " " 200	6
Over 200 miles	5 $\frac{1}{2}$

Machinery, Machinery Parts, Materials and Supplies, Viz:

Absorbers	Apparatus contd:	Bailers
Accessories:	Specific Gravity	Balances:
Arc-Welding	Welding and Cutting	Field, Magnetic
Post	Well Drilling	Torsion
Pumpjack	Armatures and parts	Geophysical
Tank	Arms, Rocker	Balls and Seats
Acid	Arresters, Flame	Bands, Brake
Adapters	Articles, Iron or	Barges:
Adjusters	Steel	Boiler
Air Cleaners	Asbestos	Derrick
Air conditioners	Asphalt, Barrels,	Drilling
Air Heaters, Gas	Sacks or Loose	Fuel
Fired	Assemblies:	Barium Compounds
Air Lift Devices	Back Side	Barrell Renovators
Air Tools,	Casinghead	Barrels
Construction	Stuffing	Barrels, Core,
Alloys	Knock-off	Cable Tool
Aluminum	Seating	Barrels, Working
Amplifiers	Set Shoe	Bars, Carrier
Seismic	Attachments,	Barytes
Anchors	Tractor	Bases, Derrick
Angles, iron or	Augers	Basins, Catch
Steel	Automatic Catheads	Baskets, Cement
Anvils	Axes, Rope	Batteries, Dry
Apparatus or		or Wet
Appliances:	Babbitt and Solder	Beams:
Gas, Air Lift	Babbited Pillow	Crown Block
Geophysical	Blocks	Walking
Recording	Backfillers Pipe	Beams, Flow
Geophysical	Line Trench	Bearings, Anti-friction

Beddings  
 Belts  
 Benches  
 Bends, Pipe or  
     Return  
 Benders, Pipe  
 Binders, Load  
 Bits, N.O.I.B.N.  
 Blades, Bit,  
     Drilling  
 Bleeders, Tubing  
 Blocks  
 Blocks, Crown  
 Blowers, Boiler  
     Manhole  
 Boats  
 Bodies, Truck,  
     Dump  
 Boiler Compounds  
 Boiler Tubes  
 Boilers  
 Bolts  
 Bombs, Temperature  
 Bombs, Pipe  
     Handling  
 Booms  
 Bore Hold Testers  
 Boring Machines  
 Boring Mills  
     Horizontal,  
     Vertical,  
     Side Head  
 Boring Tools,  
     Expansion and  
     Block Type  
 Bottom Hole  
     Pressure Gauges  
 Bowls, Casing  
 Boxes  
 Braces  
 Brackets, Cable  
     Sheave  
 Brake Blocks  
 Brakes and Parts  
 Breakers  
 Breakout Guns  
 Breakouts,  
     Friction  
 Breathers, Tank  
 Brick  
 Bridge Plugs  
 Bridges  
 Brushes  
 Bubble Caps and  
     Trays  
 Buckets  
 Buffers  
 Bug Blower  
 Building Materials  
 Buildings  
 Bull Dozers  
 Bull, Ropes, Armo,  
     Canto, Handles  
     or Pins  
 Bumpers  
 Burners  
 Bushings  
 Busters

Cable, All Kinds  
 Cable Tool Drilling  
     Machines  
 Cable Tools  
 Calif. Wheel Armo  
     or Bonds  
 Calipers, Machinists'  
 Calking Compound  
 Calorimeters  
 Cans  
 Canvas Packers  
 Capacitors  
 Capping Tools  
 Caps  
 Carburetors  
 Carbide  
 Carts  
 Caterpillar  
 Casing  
 Castings, in the  
     Rough or Finished  
 Catchers  
 Cathead Lines,  
     Mamila  
 Catheads  
 Catline Grips  
 Catlines  
 Cement, Barrels  
     or Sacks  
 Cement Tools  
 Centrifugal  
     Desanders  
 Centrifugal Mud  
     Separator  
 Chains  
 Charcoal  
 Chemical Machinery,  
     Evaporators, etc.  
 Chemicals, Fire  
     Fighting  
 Chokes  
 Choppers, Rope  
 Christmas Tree  
     Assemblies  
 Cinders  
 Circuit Breakers  
 Circulating Head  
 Circulating Jars  
 Circulating Water  
     Treatment  
 Clamps  
 Clay  
 Cleaners  
 Clinographs  
 Clips, Wire Rope  
 Clothing  
 Clutches  
 Coal or Coke  
 Coatings  
 Cocks  
 Coils, Ignition  
     or Pipe  
 Collars, Drill  
 Compensators  
 Compounds:  
     Boiler  
     Water Treating

Compounds contd:  
     Crude Oil  
     Treating  
 Compressors  
 Condensers  
 Conduit  
 Cones  
 Connections:  
     Hose  
     Power Eccentric  
     Pull Rod  
     Sucker Rod  
 Conservation Equipment  
     Tank  
 Construction Machinery  
 Construction Materials  
     Rig  
 Control Head Packers  
 Controllers  
 Controls  
 Converters  
 Conveyors  
 Coolers, Water  
 Cordage, Manila  
 Core Drills  
 Core Pushers  
 Cottages, Portable  
 Counter Balances  
 Counter Shafts  
 Couplings  
 Covers  
 Crackers  
 Cranes  
 Cranks or Crank  
     Shafts  
 Crawlers  
 Creosote  
 Crooked Hole  
     Instruments  
 Cross Arms  
 Crosses  
 Crows Nests  
 Crushers, Rock, etc.  
 Culverts, Corrugated,  
     Galvanized  
 Cups  
 Cutters  
 Cuttings, Lathe  
  
 Daubers  
 Derricks, Iron or  
     Steel  
 Derricks, N.O.I.B.N.  
 Derrick Materials,  
     Iron or Steel  
 Desanders,  
     Centrifugal  
 Development  
     Equipment  
 Development  
     Machinery  
 Devices:  
     Air Lift  
     Crooked Hole  
     Gas Lift  
     Snubbing, for  
     Running  
     Tubing under Pressure

Devices contd:

Unscrowing,  
for Pipe or  
Casing  
Diamonds, Black  
Dies  
Diesel Mechanical  
Rotary Drilling  
Rig  
Diesel Pumping  
Engines  
Discs  
Ditchers, Pipe  
Line  
Doors, Iron, Wood  
or Combination  
thereof  
Dollies  
Draglines  
Draw-Works  
Dressing, Belt  
Drift Indicators  
Drills  
Drill Collars  
Drill Stem  
Drive Clamps  
Drive Heads  
Drive Heads  
Rotary  
Driver, Pile  
Drives  
Drops, Valve  
Drums  
Dryers, Rotary  
Dynamometers

Eccentrics for  
Engines

Ejectors  
Electric Coring  
Devices  
Electric Drilling and  
Pumping Equipment  
Electric Coring  
Equipment  
Electrical Logging  
Equipment  
Electrical Surveying  
Equipment  
Electrodes  
Elevators  
Engines  
Equalizers  
Equipment:

Acid Testing  
Cementing  
Construction  
Fire Fighting  
Floodlighting  
Gas, Air Lift  
Gas Regulating  
Joint Breaking  
Maintenance  
Paint Spraying

Equipment contd:

Radio  
Swing Line  
Tank  
Well Service-  
ing  
Welding  
Eye Bolts  
Excavators  
Exchangers, Heat  
and Parts  
Exhausters, Tank  
Expanders  
Extensions, Derrick  
Base  
Extinguishers, Fire  
Extractors, Core  
Facings, Clutch  
Fans  
Faucets  
Feed  
Feeders  
Felts  
Fence Stretchers  
Fibre  
Field Balances,  
Magnetic  
Fillers, Angle  
Filters  
Finger Boards  
Fire Brick  
Fire Clays  
Fire Foam  
Fire Fighting  
Machines,  
Equipment and  
Apparatus  
Fishing Tools  
Fittings, Iron or Steel  
Fixtures, Lighting  
Flame Arresters  
Flares  
Flanges  
Float Shoes  
Floats, Drill Pipe  
Flow Devices  
Flow Valves  
Flumes, Tank  
Fluxes, Welding  
Foot Pieces, Air  
Lift  
Forges  
Forgings  
Foundations  
Frames, Iron or  
Steel or Wood  
Fresnos  
Friction Catheads  
Friction Controls  
Fronts, Rig and  
Derrick  
Fuel  
Fuel Oil

Funnels  
Furnaces  
Furniture  
Fuses

Gages  
Galvanized Iron  
Galvanometers  
Garages, Portable  
Gas, in Cylinders  
Gas Holders  
Gas Lift Devices  
Gas Mixers  
Gas Pressure  
Regulators  
Gas Tight Cable  
Gaskets  
Gasoline Plant  
Equipment  
Gates  
Gauge Hatches  
Gauges  
Gearmotors  
Gears  
Gear Units  
Generators  
Glands, Slush  
Pump Liner  
Go-Devils  
Goose Necks, Stand  
Pipe  
Governors  
Grabs  
Graders  
Gravel  
Gravity Meters  
Geophysical  
Grease Cups  
Grinders  
Grips  
Groceries  
Guards  
Gudgeons  
Guides  
Guns  
Hammers  
Handles  
Hangers  
Hardware  
Harness  
Hatches  
Headboards, Rotary  
Heads  
Heads, Pressure  
Control  
Heaters, N.O.I.B.N.  
Heaving Shale  
Drilling Assem-  
blies  
Helical Gear Oil  
Well Pumping Drives  
Helmholtz Coil  
Hillside Flanges



Hitches, Casing  
Hoists  
Holders  
Hooks  
Hook-ups, Cementing  
Hortonspheres  
Spheroids, Etc.

Hose  
Houses, Portable  
Housings  
Household Goods  
Hydrants  
Hydrostatic Bailers  
Hydrostatic  
Cleaners, Well  
Screen

Idlers  
Igniters  
Ignition  
Indicators  
Injectors  
Inserters  
Instruments:  
Drilling Control  
Geophysical  
Measuring  
well surveying  
Insulating Board  
Insulation  
Insulators  
Intermitters, Air,  
Gas Lift  
Internal Safety  
Valves  
Iron  
Iron Castings,  
Finished or Rough  
Irons:  
Rig and Saddle

Jack, Motor  
Attachments  
Jack Shaft, for  
Rotary Rig  
Jackets, Oil Field  
Boiler  
Jacks, Pumping  
Jars  
Joint Breakers  
Joints, Expansion

Kelley, Joints  
Kelly Straighteners  
Kettles, Asphalt,  
Tar, Paints, Etc.  
Kickers, Casing  
Kick-Off Devices  
Kick-off Units  
Knives  
Knuckle Joints,  
Directional

Lamps  
Lathe Cut Nipples  
Lathers, Turret  
and Engine  
Lathes  
Lay Tong, Extension  
Lead  
Leathers  
Legs, Derrick,  
Reinforcing  
Lens, Welding  
Levers  
Lifts  
Lights  
Lighting Plants  
Lighting Supplies  
Lime  
Limit Plug  
Liner Glands,  
Slush Pumps  
Liner Hangers  
Liner Jay Tops  
and Tools, Plain  
and Packer Types  
Liner Pullers  
Liner Setting Tools  
Liners  
Lines  
Lining:  
Brake  
Cement Wash Pipe  
Links  
Loaders  
Locks  
Lubricants  
Lubricators  
Lumber, Poles or  
Timbers, New or Used

#### Machinery, N.O.I.B.N. Machines and Parts:

Arc Welding  
Automatic Forming  
and Threading  
Bailing  
Bit Dressing  
Bolt Threading  
Casing Pulling  
Casing Pulling,  
Hydraulic  
Paint Spray  
Pipe Bending  
Pipe Cleaning  
Pipe Hauling  
Pipe Line Un-  
covering  
Pipe Pulling  
Pipe Pulling,  
Hydraulic  
Pipe Screwing  
Pipe Slotting  
Pipe Threading,  
Portable

Machines & Parts contd:  
Pipe Threading and  
Cutting  
Pipe Wrapping  
Portable, Cable  
Tool Drilling  
Pulling, Tubing,  
Rods, etc.  
Water Well Drilling  
Well Surveying  
Magnetic Field Balances  
Magnetometers  
Magnetos  
Maintenance Machinery  
Mandrels, Casing  
Man Heads, Roof  
Man Holes, and Covers  
Manifolds, Slush Pump  
Masks  
Mastheads  
Masts  
Materials:N.O.I.B.N.  
Construction  
Development  
Fire Proofing  
Insulating,  
Electric  
Operation, Main-  
tenance  
Transmission  
Line  
Measuring Devices  
Menders  
Metal Lath  
Metals:  
Cutting Tool  
Hard Surfacing  
Wear Resisting  
and Corrosion  
Meter Houses  
Metering Transformers  
Meters  
Micrometers, Inside  
and Outside  
Milling Machines  
Milling Tools  
Mills, Drilling  
Mineral Seal Oil  
Package  
Miscellaneous  
Equipment,  
N.O.I.B.N.  
Miscellaneous Parts,  
N.O.I.B.N.  
Miscellaneous  
Supplies  
Mixers  
Mixing Valves  
Motors and Controls  
Moulded Packings  
Mud, Drilling  
Mud Boats  
Mud Conditioners



Mud Mixers  
Mud Pits, Portable  
Mud Rotary  
Mud Scales  
Mud Separators  
Mud Thinners  
Mud Weighing Material  
Mufflers  
Mules  
Multipliers, Rod Line

Nails or Spikes  
Natural Gas Pumping Engine  
Needles, Splicing  
Nipples  
Nozzles  
Nuts

Oil  
Oil Cups  
Oil Packings  
Oil Seals  
Oil, Thread Cutting  
Operation Equipment  
Operation Machinery  
Orienting Equipment  
Orifice Fittings  
Oscillographs  
Outboard Bearings  
Outhouses  
Overshots  
Oil Lubricating or Fuel

Packers, N.O.I.B.N.  
Packing  
Packing Sets  
Packings  
Painting Equipment  
Paint  
Panel Boards  
Parts, Rig or Boiler  
Pendulum Geophysical  
Perforated Metals  
Perforation Cleaners  
Perforation Washers  
Perforators  
Petroleum:  
    Petroleum  
        Cracking  
        Distilling or Refining  
        Cylinders  
        Towers or Vessels  
Photographic Survey Supplies  
Pigment  
Pile Drivers  
Pillow Blocks  
Pins  
Pipe, N.O.I.B.N.

Pipe Cleaning Machines  
Pipe Covering or Coating  
Pipe Cut-Off Device  
Pipe Cutting Machines  
Pipe Dent Removers  
Pipe Heaters  
Pipe Insulations  
Pipe Line Equipment  
Pipe Line Supplies  
Pipe Line Pumping Engines  
Pipe Tools  
Pipe Unions  
Piping, Fabricated  
Piston Rings  
Piston Rods  
Pistons  
Pitman Heads  
Plants:  
    Crude Oil Treating  
    Gravel  
    Pumping, Portable  
Plasters  
Plaster Board  
Plates  
Platforms, Derrick  
Plugs  
Plumb Bobs  
Pneumatic Tools  
Poles  
Pony Rod Eliminators  
Portable Loaders  
Portable Pipe, Rapid Action Couplers  
Posts  
Power Drives, Cutting and Threading  
Power, Take-Offs  
Power Transmission Equipment  
Power Units  
Powered Gears  
Powers:  
    Band Wheel  
    Geared Pumping  
    Pumping  
    Presses, Power, Punching and Hydraulic  
Pressure Drilling Equipment  
Pressure Gauges, Bottom Hole  
Pressure Vessels  
Preventers, Blowout  
Primers, Rustproofing  
Propane Compressors  
Prospecting Equipment  
    Geophysical  
Protectors  
Provers, Meter  
Pullers

Pulleys  
Pulling Machines  
Pumps  
Pump Liners  
Pumping Powers  
Pump Units  
Pumping Equipment  
Pumping Heads  
Pumping Jacks  
Pumping Plants  
Pumping Supplies  
  
Racks  
Radiators, Engine Cooling  
Rails, Guard  
Rams, Bit  
Rammers, Air  
Rasps  
Reamers  
Reboring Equipment  
Recorders  
Records, Seismic  
Recording Magnetometers  
Reducers  
Reels  
Refinishing Equipment  
Refinery Supplies  
Reflection Equipment  
Regular Gas Packers  
Regulators  
Release Packer  
Relegs, Derrick  
Reinforcing, Derrick  
Repacks  
Respirators  
Rests, Grate Bar  
Retainers  
Reversing Tools  
Rig Fronts  
Rig Irons  
Rigs, Cable or Rotary, Drilling  
Rims, Tug  
Ring Packings  
Rings  
Rippers, Casing  
River Clamps  
Riveting Hammers  
Rivets  
Rod and Tubing Machines  
Rods  
Roller Bearing  
    Pillow Blocks  
Roller Bearings  
Rollers  
Roofing and Roofing Materials  
Roofs  
Rope Guards  
Rope  
Rotaries

Rotary Drill Bits  
 Rotary Hose Stand  
 Pipe Outlet  
 Rotating Blowout  
 Preventers  
 Rotators, Tubing  
 Rotors, Pump  
 Rubbing Protectors  
 Rubbers, Swab  
 Rules  
 Runways, Tank  
  
 Saddles  
 Safety Heads  
 Safety Slides  
 Safety Vents  
 Salt and Salt Cake  
 Sand  
 Sand Lines  
 Sash-Window  
 Savers, Oil, Casing  
 and Tubing  
 Scales  
 Scrapers  
 Screen Setting  
 Assemblies  
 Screens, N.O.I.B.N.  
 Screws  
 Scrubbers  
 Seals  
 Seater Cups  
 Seats, Valve  
 Seismic Reflec-  
 tion Equipment  
 Separators,  
 N.O.I.B.N.  
 Set Shoes  
 Setting Tools  
 Sewer Pipe  
 Shackles  
 Shafting  
 Shale Shaker  
 Shapers  
 Sheaves  
 Sheets, Acid  
 Resisting Alloy  
 Shields, Welding  
 Shims, Bearing  
 Shingles  
 Shock Absorbers  
 Shoes  
 Shooting Equipment,  
 Seismic  
 Shovels, Power  
 Sliding, Steel, Wood  
 or Asbestos  
 Silencer, Engine  
 Silicate of Soda  
 Sills, Derrick,  
 Outside and Inside  
 Sinkers  
 Skids  
 Sleds  
 Sleeves  
 Slips

Slush Pump:  
 Gages  
 Liner Glands  
 Liner Puller  
 Units  
 Snubbing Devices  
 Sockets  
 Softeners  
 Solutions, Protective  
 Spears  
 Special Trailers  
 Specific Gravity  
 Apparatus  
 Speed Reducers  
 Spiders  
 Spikes  
 Spinning Lines  
 Split Casing  
 Spoolers, Line  
 Spools, Spudding Shoe  
 Sprockets, Chain,  
 Transmission  
 Spudders, Drilling  
 Spuds or Spudding  
 Shoes or Rings  
 Stabilizers  
 Stacks, Smoke  
 Stairways, Steel  
 Stand Pipe Outlets  
 Starters  
 Starting Units  
 Steam Jet Ejectors  
 Steel  
 Steel Alloy  
 Steel Pipe Racks  
 Steel, Plate, Sheet  
 Steel, Structural  
 Stems  
 Stem Straighteners  
 Steps, Pole  
 Stirrups  
 Stone  
 Stoker Drives  
 Stokers, Automatic  
 Mechanical  
 Stop Cocks  
 Storage Tank Equipment  
 Storage Tank, Venting  
 Equipment  
 Stoves, Derrick  
 Straighteners  
 Straight Hole Guides  
 Straight Reamers  
 Strainers  
 Stud Bolts  
 Studs  
 Sub-Structures  
 Sucker Rod Stripper  
 Sucker Rods  
 Sump Pumps  
 Supplies:  
 Construction  
 Development  
 Maintenance  
 Operating & Welding

Supports  
 Suspenders, Liner  
 Suspenders, Tubing  
 Swabs, and Parts  
 Swedges, Casing  
 Swing Joints  
 Swing Line Equipment  
 Swings, Rod, Jerk Line  
 Switchboards  
 Switches  
 Switchgear  
 Swivels  
 Systems, Monorail  
  
 Tachometer, Rotary  
 Table  
 Take-offs, Power  
 Tank Breathers  
 Tank Equipment  
 Tank Flame Arresters  
 Tank Hillside Flanges  
 Tank Manholes  
 Tank Materials,  
 N.O.I.B.N.  
 Tank Nozzles  
 Tank Steel  
 Tanks, Iron or Steel,  
 Including Parts  
 or Attachments  
 Tank Trailers  
 Tank Valves  
 Tank Vents  
 Tank Winches  
 Tanks, Metal or Wood  
 Tapes  
 Taps  
 Tees  
 Telephone-Apparatus  
 Equipment and  
 Booths  
 Telephone Line  
 Equipment  
 Temper Screws and  
 Parts  
 Templates, Box and  
 Pin  
 Testing Machines  
 Testing Pumps  
 Thermometers  
 Thieves  
 Threaders  
 Throttles, Impulse  
 Throw-offs  
 Tighteners  
 Tile  
 Timbers, Ignition  
 Timbers  
 Tongs  
 Tool Houses  
 Tool Joints, N.O.I.B.N.  
 Tools  
 Torches  
 Torsion Balances  
 Towers  
 Tractors

Trailer Bodies	Wagons
Trailers	Wagons, Tractor
Transformers	Walk-Ways
Transmissions	Wall Hooks, Hydraulic
Travelling Cranes	Wall Samplers or Scrapers
Treated Timber	Washers
Treating Plants	Wash Pipes
Trench and Timber	Water
Braces	Water Caps
Trenchers	Water Coolers
Trolley Conveyors	Water Fittings
Trolleys	Water Test Packers
Trucks	Wedges
Tubes	Weights, Rod Line
Tubing	Welders, Electric
Tubing Packers	Weldless Links
Tubing Protectors	Well Drilling Outfit
Tubing Seals	Well Surveying
Tubing Strippers	Instruments
Tubs	Wheels
Tug Rims	Whipstocks, and Parts
Tungsten Carbide	Winches
Turbines	Wipers, Tubing
Turnbuckles	Wire or Wire Cloth
U-Cups	Wire Lines; Wire Rope
Underreamers	Wobblers
Unions	Wood
Units:	Woodwork for rigs
Air Conditioning	Working Barrel Pumps
Gear Reduction	Wrenches
High Pressure Pump	Yokes, Anchor
Pumping, Electric	Yokes, Power Eccentric
Pumping, Gasoline,	
Gas Engine	
Pumping, Herringbone	
Refrigerator	
Reduction Gear,	
Herringbone	
Right Angle Gear	
Speed Increasing	
Universal Joints	
V-Belt Drives	
V-Belt Sheaves	
Vacotraps	
Valve Cups	
Valve Houses	
Valve Leathers	
Valves	
Ventilators	
Vents	
Vent Units	
Vises	
Voltage Regulators	

### Special Services

Special Services are those that require trucks equipped with winches, cables, crane poles, hoists, derricks, and block and tackle to tow or gather materials and equipment to and from loading places, to pull down or set up material, machinery and equipment, or wreck and place in position, rig up, or perform any service for which such equipment is suitable. Rates for such services are as follows:

<u>Equipment</u> <u>(Manufacturer's Tonnage Rating)</u>	<u>Rates (In Dollars and Cents per</u> <u>Hour per unit -See Notes 1,2,3,4)</u>
2 ton or under	\$ 4.00
Over 2, Not over 2½	4.50
Over 2½, Not over 3½ ton	5.00
Over 3½, Not over 4½ ton	5.50
Over 4½, Not over 5 ton	6.50
Over 5, Not over 10 ton	8.00
Crawler Tractor (I.H.C.) Model TD 14 or D6	8.00
Crawler Tractor (I.H.C.) Model TD 18 or D7	10.00
D-4 Caterpillar Tractor	6.00
D-8 Caterpillar Tractor	12.45

When a combination of truck-tractor and semi-trailer is used, the above rates will apply for the truck-tractor plus the following rates for the semi-trailer; provided, however, that where the semi-trailer is used for the road haul movement, no additional charge shall be made for the terminal service of the semi-trailer.

<u>Semi-Trailer Equipment</u> <u>(Manufacturer's Tonnage Rating)</u>	<u>Rates (In Dollars and Cents per</u> <u>Hour per unit- See Notes 1,2,3,4)</u>
2 ton or under	\$ 0.50
Over 2, Not over 3½ ton	.75
Over 3½, Not over 5 ton (Single Axel)	1.25
Over 5, Not over 10 ton (Double Axel)	2.00
Low Boy Trailer	3.50

Note 1: The above rates do not apply for loading and unloading iron or steel pipe, for which service rates are provided herein.

Note 2: Rates in item include only the vehicle and driver. When the nature of the work requires, or if the shipper, consignee, or other person contracting the services of the carrier, requests extra help, such help will be furnished by the carrier at an additional charge of \$1.25 per hour per man. (Subject to Notes 3 and 4.)

Note 3: Any fractional part of an hour will constitute one hour.

Note 4: Rates apply for the time consumed in going to and from the job, and time consumed on the job.



Iron or Steel Pipe, Plain or Coated (Loading and Unloading).  
Rates named herein apply for service in loading or unloading.

Iron or Steel Pipe, Plain or Coated, from or onto Railroad Cars.

On any size pipe not specifically named in this item, apply to such size pipe the rate published herein for the next larger size pipe.

Size of Pipe Nominal Trade Description	Rates (In Cents Per 100 Pounds)
2 inch	10
3 "	8
4 "	6
6 "	5 $\frac{1}{2}$
8 "	5 $\frac{3}{4}$
10 "	5
12 "	6
16 "	6 $\frac{1}{2}$
20 "	7 $\frac{1}{2}$
24 "	7 $\frac{3}{4}$

The following distance scale of class rates will apply on commodities named herein in lots of less than 10,000 pounds. Provided, however, the charge on a shipment weighing less than 10,000 pounds shall not exceed the charge computed at the applicable rate and a minimum weight of 10,000 pounds.

DISTANCE CLASS RATES  
(IN CENTS PER 100 POUNDS)

	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>
10 miles or less	70	60	50	40
15 miles and over 10	75	65	55	45
20 miles and over 15	80	70	60	50
25 miles and over 20	85	75	65	55
30 miles and over 25	90	80	70	60
-----				
35 miles and over 30	94	84	74	64
40 miles and over 35	96	86	76	66
45 miles and over 40	100	90	80	70
50 miles and over 45	105	95	85	74
55 miles and over 50	107	97	87	77
-----				
60 miles and over 55	109	99	89	79
65 miles and over 60	114	104	94	84
70 miles and over 65	119	109	99	89
75 miles and over 70	122	112	92	82
80 miles and over 75	125	115	105	95
-----				
85 miles and over 80	128	118	108	98
90 miles and over 85	131	121	111	101
95 miles and over 90	134	124	114	104
100 miles and over 95	137	127	117	107
110 miles and over 100	141	131	121	111
-----				
120 miles and over 110	146	136	126	116
130 miles and over 120	150	140	130	120
140 miles and over 130	153	143	133	123
150 miles and over 140	156	146	136	126
160 miles and over 150	159	149	139	129
-----				



DISTANCE CLASS RATES (Continued)  
(IN CENTS PER 100 POUNDS)

	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>
170 miles and over 160	162	152	142	132
180 miles and over 170	165	155	145	135
190 miles and over 180	167	157	147	137
200 miles and over 190	170	160	150	140
210 miles and over 200	172	162	152	142
-----				
220 miles and over 210	175	165	155	145
230 miles and over 220	177	167	157	147
240 miles and over 230	180	170	160	150
250 miles and over 240	182	172	162	152
260 miles and over 250	185	175	165	155
-----				
270 miles and over 260	187	177	167	157
280 miles and over 270	189	179	169	159
290 miles and over 280	191	181	171	161
300 miles and over 290	193	183	173	163
320 miles and over 300	196	186	176	166
-----				
340 miles and over 320	200	190	180	170
360 miles and over 340	204	194	184	174
380 miles and over 360	208	198	188	178
400 miles and over 380	212	202	192	182
420 miles and over 400	216	206	196	186
-----				

original

(Decision No. 30154)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE OPERATING ARRANGEMENT BETWEEN }  
DENVER-COLORADO SPRINGS-PUEBLO }  
MOTOR WAY, INC., AND RIO GRANDE }  
MOTOR WAY, INC., BETWEEN PUEBLO }  
AND CANON CITY AND INTERMEDIATE }  
POINTS. }

PUC NOB. 48, 149.

-----  
March 31, 1948  
-----

Appearances: T. A. White, Esq., Denver,  
Colorado, for applicants.

S T A T E M E N T

By the Commission:

On November 1, 1947, Denver-Colorado Springs-Pueblo Motor Way, Inc., and Rio Grande Motor Way, Inc., entered into an agreement in writing, which by reference is made a part hereof, whereby Rio Grande Motor Way, Inc., (which operates a bus line as a common carrier over the highway between Pueblo and the Colorado-Utah State Line, via Canon City, which is used by Denver-Colorado Springs-Pueblo Motor Way, Inc., in its operations as a carrier by bus of passengers, baggage, and express between Pueblo, Colorado, and Canon City, Colorado, and intermediate points under its PUC No. 48, issued by this Commission, said Rio Grande Motor Way, Inc. not having the right to serve between Pueblo and Canon City and intermediate points) is permitted, by Denver-Colorado Springs-Pueblo Motor Way, Inc., to serve locally between Pueblo and Canon City and intermediate points, upon certain terms and conditions set forth in said agreement, Rio Grande Motor Way, Inc. being required, among other things, to pay to Denver-Colorado Springs-Pueblo Motor Way, Inc., twenty-five percent of the gross cash fares collected for service between said points.

Said companies ask that said agreement be approved.

## FINDINGS

The Commission, being now sufficiently advised in the premises,

### FINDS:

That said Agreement is in the public interest, and should be approved.

## ORDER

### THE COMMISSION ORDERS:

That the Agreement referred to in the Statement preceding, which by reference is made a part hereof, should be, and the same hereby is, approved, effective as of date November 1, 1947.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Norton

John R. Barry  
Commissioners.

Dated at Denver, Colorado,  
this 31st day of March, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
STEVE PIEROTTI, 222 PINION ) PERMIT NO. B-1089.  
STREET, WALSENBURG, COLORADO. )  
----- )

-----  
March 31, 1948  
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S T A T E M E N T

By the Commission:

Pursuant to authority contained in Decision No. 28283, of date May 31, 1947, Steve Pierotti acquired from Richard Holt his Private Carrier Permit No. B-1089, with authority as set forth in Decisions Nos. 6793 and 14203, to-wit:

hay and grain from the San Luis Valley, Wet Mountain Valley, La Veta, and the Green Horn, and coal from mines within a radius of 12 miles of Walsenburg, to points within said 12-mile radius, including Walsenburg; poles for the Trinidad Electric Company from Walsenburg to Trinidad and La Veta and along the high lines between said points; coal for said company and its officials from Walsenburg to Trinidad; household goods, junk, lumber and building supplies, mine equipment, heavy machinery, highway equipment and supplies and ranch supplies from and to Walsenburg, to and from points in said area, and from point to point therein.

He now asks that said authority be amended so as to limit his operations to points within a radius of fifty miles of Walsenburg.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted.

O R D E R

THE COMMISSION ORDERS:

That the authority of Steve Pierotti, Walsenburg, Colorado, under Permit No. B-1089, be, and the same hereby is, amended to include

the right to operate as a Class "B" private carrier by motor vehicle  
for hire for the transportation of:

hay and grain from La Veta and the Green Horn  
and points in the San Luis Valley and Wet  
Mountain Valley within a radius of fifty  
miles of Walsenburg, and coal from mines  
within a radius of twelve miles of Walsenburg,  
to points within said twelve-mile radius, in-  
cluding Walsenburg; poles for the Trinidad  
Electric Company from Walsenburg to Trinidad  
and La Veta and along the high lines between  
said points; coal for said company and its  
officials from Walsenburg to Trinidad; house-  
hold goods, junk, lumber and building supplies,  
mine equipment, heavy machinery, highway equip-  
ment and supplies and ranch supplies from and  
to Walsenburg, to and from points in said twelve-  
mile area, and from point to point therein.,

subject, however, to conditions and restrictions, if any, contained in  
Decisions Nos. 6793 and 14203.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcom Erickson

Raymond C. Holton  
John R. Barry  
Commissioners.

Dated at Denver, Colorado,  
this 31st day of March, 1948.

ea



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
R. R. SMITH AND DALE QUIGGLE, WRAY,  
COLORADO, FOR AN EXTENSION OF PER-  
MIT NO. B-1496.

APPLICATION NO. 8972-PP-Extension

SUPPLEMENTAL ORDER

March 31, 1948

Appearances: R. R. Smith, Wray, Colorado,  
pro se;  
Jones and Stauffer, Esqs.,  
Denver, Colorado, for Paul  
G. Zimmerman, M. K. McElfresh,  
Walter Rowntree, Martin  
Stutheit, Van Goodwin and Sons.

S T A T E M E N T

By the Commission:

On February 9, 1948, the Commission entered its Order and Decision No. 29871 in the above-styled matter, extending the private carrier authority of R. R. Smith and Dale Quiggle under their Permit No. B-1496 to include the right to transport:

building materials between points they are now authorized to serve, and from and to points in said area, to and from Denver, Loveland, and Fort Collins; farm machinery between points in said area, and from and to points in said area, to and from Denver, Colorado; fruit from the Western Slope fruit producing area to points in the base area now authorized.

They now ask that the authority to transport:

fruit from the Western Slope fruit producing area to points in the base area now authorized

be eliminated from the authority granted.

F I N D I N G S

THE COMMISSION FINDS:

Being sufficiently informed in the premises, that said request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 29871 be, and the same hereby is, amended, nunc pro tunc, as of the 9th day of February, 1948, by striking therefrom the words:

fruit from the Western Slope fruit producing area to points in the base area now authorized,

so that authority granted thereby will be the right to transport:

building materials between points they are now authorized to serve, and from and to points in said area, to and from Denver, Loveland, and Fort Collins; farm machinery between points in said area, and from and to points in said area, to and from Denver, Colorado.

That, except as herein amended, said Decision No. 29871 shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Hahn

John R. Barry  
Commissioners.

Dated at Denver, Colorado,  
this 31st day of March, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE DISCONTINUANCE )  
OF CONSOLIDATED AGENCY STATION OF )  
THE ATCHISON, TOPEKA AND SANTA FE )  
RAILWAY COMPANY AND THE DENVER AND )  
RIO GRANDE WESTERN RAILROAD COMPANY, )  
AT KELKER, COLORADO. )  
-----

APPLICATION NO. 9084

-----  
March 24, 1948  
-----

Appearances: Douglas McHendrie, Esq., Denver,  
Colorado, for The Atchison,  
Topeka and Santa Fe Railway  
Company;  
T. A. White, Esq., Denver, Colo-  
rado, and  
Otis Gibson, Esq., Denver, Colo-  
rado, for The Denver and Rio  
Grande Western Railroad Company;  
C. L. Flower, Denver, Colorado,  
of The Public Utilities Commission  
of the State of Colorado, for the  
Commission.

S T A T E M E N T

By the Commission:

By this application, The Atchison, Topeka and Santa Fe Rail-  
way Company and The Denver and Rio Grande Western Railroad Company seek  
authority to close agency station at Kelker, Colorado, a station jointly  
operated by said railroads, which is located a few miles east of Colorado  
Springs, Colorado.

No objections were filed to the proposed discontinuance of  
the consolidated agency of said companies. Primarily, it has served  
the government camp maintained at Camp Carson.

It developed from the testimony of witnesses that service is  
no longer required at said point; that business at Camp Carson is small  
in volume, and can be adequately handled from Colorado Springs; that the  
Camp Commander has indicated that he has no objection to discontinuance

of service at Kelker.

It appears that no useful purpose would be served by the continued maintenance of the station, and that in view of the small volume of traffic, further operation thereof would be an unreasonable and unjust burden on the applicants and on the interstate and intrastate commerce in which they are engaged. In the interest of the public, railroads must effect every possible economy in operation.

F I N D I N G S

THE COMMISSION FINDS:

That petition of applicants should be granted.

O R D E R

THE COMMISSION ORDERS:

That The Atchison, Topeka and Santa Fe Railway Company and The Denver and Rio Grande Western Railroad Company, be, and they hereby are, authorized to close and discontinue the consolidated agency of said companies at Kelker, Colorado, effective as of the day and date of this Order.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Malcom Erickson*

*Joseph C. Nolan*  
*John R. Barry*  
Commissioners

Dated at Denver, Colorado,  
this 24th day of March, 1948.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
J. I. VIALPANDO, WESTON, COLORADO, )  
FOR AUTHORITY TO TRANSFER PUC NO. )  
1825 TO KELLY FIORENTINI, WESTON, )  
COLORADO. )  
-----

APPLICATION NO. 9143-Transfer

-----  
March 31, 1948  
-----

S T A T E M E N T

By the Commission:

By Decision No. 14838, J. I. Vialpando, Weston, Colorado, was granted a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire for the transportation, on call and demand, in intrastate commerce, of:

(a) farm products (specifically including cattle, sheep, hogs and horses, and the products thereof), between points within a radius of twenty miles of Weston, Colorado, and from and to farms and markets in said area, to and from farms and markets in the State of Colorado; (b) farm supplies, farm machinery and equipment, used household goods and furniture, and timber camp and saw-mill camp supplies and equipment, from point to point in said twenty-mile area, without the right to transport household goods and furniture within or to or from the City of Trinidad, or to haul farm supplies, farm machinery and equipment or household goods or furniture in competition with the line-haul motor vehicle service of Sandoval Truck Line; (c) timber and timber products from points in said twenty-mile area to points in Las Animas County; (d) coal from points in said twenty-mile area to points in Las Animas County; (e) coal from point to point in said area, and from points in Las Animas County to points in said area.

By the instant application, said certificate-holder seeks authority to transfer said operating rights (PUC No. 1825) to Kelly Fiorentini, Weston, Colorado.

Inasmuch as the files of the Commission and the verified application herein show that said certificate is in good standing; that



road tax has been paid; that ton-mile tax deposit is to be transferred to account of transferee; that there are no outstanding unpaid operating obligations against said certificate; that transferee, pecuniarily and otherwise, is able and qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said certificate, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to payment of outstanding indebtedness, if any.

### O R D E R

#### THE COMMISSION ORDERS:

That J. I. Vialpando, Weston, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 1825 -- being the authority granted by Decision No. 14838 -- to Kelly Fiorentini, Weston, Colorado, subject to payment of outstanding indebtedness secured by mortgage, or otherwise, if any there be.

The tariff of rates, rules and regulations of transferor shall become and remain those of transferee until changed according to law and the rules and regulations of this Commission.

That ton-mile tax deposit be transferred to account of transferee.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Nolan

John R. Barry  
Commissioners

Dated at Denver, Colorado,  
this 31st day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JOHN G. MARTIN AND CHARLES P. WEISS, )  
DOING BUSINESS AS "CONSOLIDATED )  
TOURS," 1630 NORTH EL PASO STREET, )  
COLORADO SPRINGS, COLORADO, FOR )  
AUTHORITY TO TRANSFER PUC NO. 1508 )  
TO MAURICE P. HANSON, 510 EAST WIL- )  
LAMETTE STREET, COLORADO SPRINGS, )  
COLORADO. )  
-----

APPLICATION NO. 8942-Transfer

IN THE MATTER OF THE APPLICATION OF )  
JOHN G. MARTIN AND CHARLES P. WEISS, )  
DOING BUSINESS AS "CONSOLIDATED )  
TOURS," 1630 NORTH EL PASO STREET, )  
COLORADO SPRINGS, COLORADO, FOR )  
AUTHORITY TO TRANSFER PUC NO. 1549 )  
TO MAURICE P. HANSON, 510 EAST WIL- )  
LAMETTE STREET, COLORADO SPRINGS, )  
COLORADO. )  
-----

APPLICATION NO. 9040-Transfer

SUPPLEMENTAL ORDER

-----  
March 31, 1948  
-----

S T A T E M E N T

By the Commission:

By Decisions Nos. 29599 and 29884, John G. Martin and Charles P. Weiss, co-partners, doing business as "Consolidated Tours," Colorado Springs, Colorado, were authorized to transfer PUC Nos. 1508 and 1549 to Maurice P. Hanson, Colorado Springs, Colorado.

The Commission has been informed by their attorney, Robert H. Schaper, that said parties do not desire to consummate said transfer. He asks that said decisions be set aside.

F I N D I N G S

THE COMMISSION FINDS:

Being now sufficiently informed in the premises, that said request should be granted.

O R D E R

THE COMMISSION ORDERS:

That our Decision No. 29599, of date December 20, 1947, in Application No. 8942, and our Decision No. 29884, of date February 9, 1948, in Application No. 9040, be, and they hereby are, set aside, vacated, and held for naught.

This order is effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcom Erickson  
Ralph C. Hottel  
John R. Barry  
Commissioners

Dated at Denver, Colorado,  
this 31st day of March, 1948.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )	
JIM J. MONDRAGON, OF BOX 92, )	CASE NO. 40781-INS.
SAGUACHE, COLORADO. )	(Permit No. C-16675)
-----)	

-----  
March 31, 1948  
-----

S T A T E M E N T

By the Commission:

On February 3, 1948, in Case No. 40781-Ins., the Commission entered an order revoking Permit No. C-16675, for failure to keep on file effective insurance.

Insurance was in effect, but, through a misunderstanding between the assured and the insurance agent as to the proper radius of coverage, it was not filed before the permit was revoked. Proper filing has now been made and the insurance is in order without lapse.

After careful consideration of the record and the files, the Commission is of the opinion, and finds, that our Decision No. 40781-Ins., should be cancelled and set aside and said Permit No. C-16675 restored to its former status.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 40781-Ins., should be, and it hereby is, cancelled and set aside, and said Permit No. C-16675 restored to its former status as of February 3, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Foster

John R. Barry  
Commissioners.

Dated at Denver, Colorado,  
this 31st day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
HARVEY H. AXTELL, 3101 SOUTH )  
BROADWAY, ENGLEWOOD, COLORADO. ) (CASE NO. 41429-INS.  
-----) (Permits Nos. C-12053 and B-2705)

-----  
March 31, 1948  
-----

S T A T E M E N T

By the Commission:

On March 17, 1948, in Case No. 41429-Ins., the Commission entered an order revoking Permits Nos. C-12053 and B-2705, for failure to keep on file effective insurance.

Proper insurance has now been filed within the five-day period of grace, and order of revocation should be set aside.

After careful consideration of the record and the files, the Commission is of the opinion, and finds, that our Decision No. 41429-Ins., should be cancelled and set aside and said Permits Nos. C-12053 and B-2705 restored to their former status.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 41429-Ins., should be, and it hereby is, cancelled and set aside, and said Permits Nos. C-12053 and B-2705 restored to their former status as of March 17, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*William Erickson*

*Ralph C. Martin*

*John R. Barry*  
Commissioners.

Dated at Denver, Colorado,  
this 31st day of March, 1948.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )	
STAUFFER FOOD COMPANY, INC., )	CASE NO. 40729-INS.
ROCKY FORD, COLORADO. )	(Permit No. C-1584)
-----)	

-----  
March 31, 1948  
-----

S T A T E M E N T

By the Commission:

On February 24, 1948, in Case No. 40729-Ins., the Commission entered an order revoking Permit No. C-1584, for failure to keep on file effective insurance.

Decision in this case, however, should have been withheld as an attempt was being made to make the filing. Proper insurance has now been filed and the insurance is in order without lapse.

After careful consideration of the record and the files, the Commission is of the opinion, and finds, that our Case No. 40729-Ins., should be cancelled and set aside and said Permit No. C-1584 restored to its former status.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 40729-Ins., should be, and it hereby is, cancelled and set aside, and said Permit No. C-1584 restored to its former status as of February 24, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Malcolm Erickson*

*Joseph C. Hotal*

*John R. Barry*  
Commissioners.

Dated at Denver, Colorado,  
this 31st day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )	
GUY HODGES, OF 251 NEWTON ST., )	CASE NO. 41190-INS.
DENVER 9, COLORADO. Q)	(Permit No. B-3520)
----- )	

-----  
March 31, 1948  
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S T A T E M E N T

By the Commission:

On March 17, 1948, in Case No. 41190-Ins., the Commission entered an order revoking Permit No. B-3520, for failure to keep on file effective insurance.

Proper insurance filing was made within the five-day period of grace, and the order of revocation should be set aside.

After careful consideration of the record and the files, the Commission is of the opinion, and finds, that our Case No. 41190-Ins., should be cancelled and set aside and said Permit No. B-3520 restored to its former status.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 41190-Ins., should be, and it hereby is, cancelled and set aside, and said Permit No. B-3520 restored to its former status as of March 17, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson

Robert C. Anderson

John R. Barry  
Commissioners.

Dated at Denver, Colorado,  
this 31st day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
LOCK JOINT PIPE COMPANY, 1716 )  
CALIFORNIA STREET, DENVER 2, )  
COLORADO. )  
----- )

CASE NO. 41238-INS.  
(Permit No. C-11002)

-----  
March 31, 1948  
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S T A T E M E N T

By the Commission:

On March 17, 1948, in Case No. 41238-Ins., the Commission entered an order revoking Permit No. C-11002, for failure to keep on file effective insurance.

Proper insurance filing has now been made within the five-day period of grace, and order of revocation should be set aside.

After careful consideration of the record and the files, the Commission is of the opinion, and finds, that our Decision No. 41238-Ins., should be cancelled and set aside and said Permit No. C-11002 restored to its former status.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 41238-Ins., should be and it hereby is, cancelled and set aside, and said Permit No. C-11002 restored to its former status as of March 17, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Hutton

John R. Barry  
Commissioners.

Dated at Denver, Colorado,  
this 31st day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
BEN GVIRTZ, DOING BUSINESS AS )  
"COLORADO HAY COMPANY," 272 NO. )  
COLLEGE STREET, FORT COLLINS, )  
COLORADO. )  
-----)

CASE NO. 41328-Ins.  
(Permit No. C-11415)

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March 31, 1948  
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S T A T E M E N T

By the Commission:

On March 17, 1948, in Case No. 41328-Ins., the Commission entered an order revoking Permit No. C-11415, for failure to keep on file effective insurance.

Since proper insurance filings have now been made within the five-day period of grace, the order of revocation should be set aside.

After careful consideration of the record and the files, the Commission is of the opinion, and finds, that our Decision No. 41328-Ins., should be cancelled and set aside and said Permit No. C-11415 restored to its former status.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 41328-Ins., should be, and it hereby is, cancelled and set aside, and said Permit No. C-11415 restored to its former status as of March 17, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson

Robert C. Asha

John R. Barry  
Commissioners.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
BOYD HALL, OF CORTEZ, COLORADO.)  
-----)

CASE NO. 41445-INS.  
(PUC-1689)

-----  
March 31, 1948  
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S T A T E M E N T

By the Commission:

On March 17, 1948, in Case No. 41445-Ins., the Commission entered an order revoking Certificate No. PUC-1689, for failure to keep on file effective insurance.

Insurance was in effect, however, but, through neglect of the agent, was not filed in time to stop the revocation of the certificate. Proper filing has now been made and the insurance is in order without lapse.

After careful consideration of the record and the files, the Commission is of the opinion, and finds, that our Decision No. 41445-Ins., should be cancelled and set aside and said Certificate No. PUC-1689 restored to its former status.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 41445-Ins., should be, and it hereby is, cancelled and set aside, and said Certificate No. PUC-1689 restored to its former status as of March 17, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Malcolm Erickson*

*Ralph C. Hottel*

*John R. Barry*  
Commissioners.

Dated at Denver, Colorado,  
this 31st day of March, 1948.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
THE LAWRENCE TRANSFER AND STOR- )  
AGE COMPANY, INC., 731 NEW )  
HAMPSHIRE STREET, LAWRENCE, )  
KANSAS. )  
-----)

CASE NO. 41135-INS.  
(PUC-1390-I)

-----  
March 31, 1948  
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S T A T E M E N T

By the Commission:

On February 24, 1948, in Case No. 41135-Ins., the Commission entered an order revoking Certificate No. PUC-1390-I, for failure to keep on file effective insurance.

This Certificate No. PUC-1390-I was in the process of being transferred at the time of revocation. Proper insurance filing, however, was refiled within the five-day period, and the insurance is in order without lapse.

After careful consideration of the record and the files, the Commission is of the opinion, and finds, that our Decision No. 41135-Ins., should be cancelled and set aside and said Certificate No. PUC-1390-I restored to its former status.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 41135-Ins., should be, and it hereby is, cancelled and set aside, and said Certificate No. PUC-1390-I restored to its former status as of February 24, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph V. Winton

John R. Barry  
Commissioners.

Dated at Denver, Colorado,  
this 31st day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
NIELSEN AND PETERSEN, INC., OF )  
GRAND ISLAND, NEBRASKA. )  
-----)

CASE NO. 40742-INS.  
(PUC-727-I).

-----  
March 31, 1948  
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S T A T E M E N T

By the Commission:

On January 19, 1948, in Case No. 40742-Ins., the Commission entered an order revoking Certificate No. PUC-727-I, for failure to keep on file effective insurance.

At the time the certificate was in process of being transferred to the corporation, no effective insurance was on file to cover either transferor or transferee. Under the circumstances the certificate was revoked on January 19, 1948. On January 24, 1948, insurance was filed to cover the corporation, and on January 31, 1948, an order authorizing transfer to the corporation was issued, which order of transfer should also have authorized setting aside the revocation.

After careful consideration of the record and the files, the Commission is of the opinion, and finds, that our Decision No. 40742-Ins., should be cancelled and set aside and said Certificate No. PUC-727-I restored to its former status.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 40742-Ins., should be, and it hereby is, cancelled and set aside, and said Certificate No. PUC-727-I restored to its former status as of January 19, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Malcolm Erickson*  
\_\_\_\_\_  
*Joseph C. Hoban*  
\_\_\_\_\_  
*John R. Barry*  
\_\_\_\_\_  
Commissioners.

Dated at Denver, Colorado,  
this 31st day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
MRS. LEONARD A. LARSON, DBA )  
DECATUR GROCERY & MARKET, )  
2701 SO. DECATUR, DENVER 10, ) PERMIT NO. C-17185.  
COLORADO )  
----- )

-----  
March 31, 1948  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Mrs. Leonard A. Larson, d/b/a Decatur Grocery & Market,.....  
requesting that Permit No. C-17185.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-17185, heretofore issued to.....  
Mrs. Leonard A. Larson, d/b/a Decatur Grocery & Market,.....be,  
and the same is hereby, declared cancelled effective March 28, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcom Erickson*

*Ralph C. Horton*

*John R. Barry*  
Commissioners

Dated at Denver, Colorado,  
this 31st day of March, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
THE ATCHISON, TOPEKA AND SANTA FE )  
RAILWAY COMPANY FOR PERMISSION TO )  
CLOSE STATION AT SEDALIA, DOUGLAS )  
COUNTY, COLORADO. )  
-----

APPLICATION NO. 9082

IN THE MATTER OF THE APPLICATION OF )  
THE ATCHISON, TOPEKA AND SANTA FE )  
RAILWAY COMPANY FOR PERMISSION TO )  
CLOSE STATION AT CASTLE ROCK, )  
DOUGLAS COUNTY, COLORADO. )  
-----

APPLICATION NO. 9083

-----  
March 31, 1948  
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Appearances: Douglas McHendrie, Esq., Denver,  
Colorado, for The Atchison,  
Topeka and Santa Fe Railway  
Company;  
Roscoe Pile, Esq., Denver, Colo-  
rado, for Douglas County, Town  
of Sedalia, City of Castle Rock,  
and Order of Railway Telegraphers.

S T A T E M E N T

By the Commission:

The above-styled matter, pursuant to setting and after ap-  
propriate notice to all parties in interest, were publicly heard, upon  
a consolidated record, by stipulation of counsel, at Denver, Colorado,  
March 8, 1948, and were taken under advisement.

By Application No. 9082, The Atchison, Topeka and Santa Fe  
Railway Company seeks an order authorizing it to discontinue agency  
service at Sedalia, Douglas County, Colorado, a station upon the line  
of The Atchison, Topeka and Santa Fe Railway Company, located 13.8  
miles south of Littleton, 18.5 miles north of Larkspur, and 8 miles  
north of Castle Rock.

By Application No. 9083, The Atchison, Topeka and Santa Fe

Railway Company seeks an order authorizing discontinuance of agency service at Castle Rock, a station upon its line located 21.8 miles south of Littleton, and 10.3 miles north of Larkspur, Colorado.

Formal objections, in writing, to the proposed closing of said agency stations were filed by A. R. Ferris, General Chairman, Order of Railway Telegraphers, System Division No. 49. The County of Douglas, City of Castle Rock, Douglas County, Colorado, and Order of Railroad Telegraphers formally protested through their attorneys, Pile and Tinsley. Written objections to the closing of the Castle Rock Station were filed by Donald D. Williams and Frank Dakan, Douglas County County Commissioners, H. G. Johnson, a clay shipper, Herbert G. Burgess, C. Douglas Andrews, O. H. Richardson, H. A. Enderud, Councilman of Castle Rock, R. C. Higginson, local R.E.A. and Bus Manager, and H. E. Olson, Mayor of Castle Rock, upon the ground that the closing of the Castle Rock Station will be highly detrimental to the interests of the citizens of Castle Rock and surrounding community and said city, because "no comparable substituted service is offered this community by said applicant."

The Atchison, Topeka and Santa Fe Railway Company and The Denver and Rio Grande Western Railroad Company, respectively, own lines of track between Denver and Pueblo, passing through Castle Rock and Sedalia. They have paired said tracks so that both lines, along with The Colorado and Southern Railway Company, use both tracks, the Rio Grande, or easterly track at Castle Rock being used for north-bound traffic, the Santa Fe, or westerly track, being used for south-bound traffic. At Sedalia, The Atchison, Topeka and Santa Fe is the easterly track, and The Denver and Rio Grande Western Railroad Company is the westerly track. The Denver and Rio Grande Western Railroad Company also has an agency at Sedalia and Castle Rock. Station agents at Rio Grande Stations and Santa Fe Agents at Santa Fe Stations now handle, and since 1918 have handled, business of both roads moving over the respective tracks served by the respective depots.

At the commencement of the hearing, counsel appearing for



the Town of Sedalia stated that closing of Sedalia Agency would not be opposed on economic grounds, and that the objections to be voiced would go to the contention that station should be continued in operation for "operating reasons" -- that is, it would be urged that the maintenance of agency station would lessen likelihood of accidents to trains operated over the railway.

Witness Lester, Division Superintendent since February 15, 1941, for The Atchison, Topeka and Santa Fe Railway Company, stated that Santa Fe Depot at Castle Rock is located west of town proper, on the other side of Plum Creek, at a point approximately 1.63 miles from the business district. The Rio Grande Depot is located .17 miles from the center of town, and is easily reached by improved city streets; that to get to and from Santa Fe Depot, from and to Castle Rock, it is necessary to proceed north on U. S. Highway No. 85 to junction with county road north of town, thence westerly across Plum Creek, and across the main track of The Atchison, Topeka and Santa Fe Railway Company to junction with dirt road, which, when followed in a southerly direction about three-quarters of a mile, passes the Santa Fe Depot; that a number of years ago, one could proceed along an extension of Third Street over a bridge across Plum Creek, directly to the depot, the distance being comparatively short; that the bridge was washed out by floods, and has never been renewed by the county; that, at times, the dirt road between the county road and the depot was practically impassable, although he admitted on cross-examination that since the application to abandon service had been filed, the road had been graded and some of the worst spots on the road had been filled with gravel.

Numerous exhibits were prepared and presented by Santa Fe Railway, showing the freight and passenger revenues accruing to Castle Rock Station from freight forwarded and received. Statement was also presented, showing volume of Western Union and Railway Express Agency business at both stations. All freight moving to and from Castle Rock for several years has been carload freight. No l.c.l. freight has been handled to or from the depot. Some express shipments have been

received. For the most part, they appear to have originated in Denver. Express revenue, which, of course, accrues to the Railway Express Agency, and Western Union revenue, which, less a small commission, goes to Western Union Telegraph Company, were not large. Express Revenue, in 1947, totalled \$574.04. Practically all carload freight out of Castle Rock is clay, chiefly consigned to Denver, a few cars moving to Pueblo. In previous years, gasoline and oil bulk plants have been maintained on the Santa Fe Railway by Sinclair and Continental Oil Companies, but in April, 1947, due to the difficulty they experienced getting to the station, on account of failure to rebuild the bridge, the oil companies moved their bulk plants, and no longer received carload shipments of gasoline and other bulk petroleum products via Santa Fe Railway. During the Year 1947, only five cars, other than gasoline, oil, or clay, were handled to and from Santa Fe Depot.

Denver Sewer Pipe and Clay Company, to whom practically all clay is shipped, was contacted by The Atchison, Topeka and Santa Fe Railway, and Company stated that it had no objection to discontinuance of agency service and the handling of carload shipments in the manner hereinafter mentioned from Castle Rock.

If the agency station at Castle Rock is closed, railway expects customers desiring carload service south-bound out of Castle Rock to contact the agent at Larkspur by telephone, collect, who will arrange for spotting car at Castle Rock, and will supply the shipper with way bills which he can fill out when car is loaded, and deposit three copies thereof in the way bill box at the depot. The conductor will pick up the way bills and have the shipment billed at the next open station. Since north-bound shipments all move over Rio Grande Tracks, all north-bound shipments will be handled as before -- that is, they will be billed out of the Rio Grande Depot. In this connection, it is contemplated that insofar as practicable, Rio Grande Agent at Castle Rock will furnish all service, including information about express and freight shipments, passenger connections, telegrams, etc. Express moving from or to, to or from Castle Rock, north or south, will be handled at The

Denver and Rio Grande Western Railroad Company Station. South-bound express out of Denver will go to Pueblo or Colorado Springs in the evening, and will be returned on the north-bound track -- that is, the Rio Grande Track -- to Rio Grande Station, early the following morning for delivery. In fact, it will be handled in the same manner that express has been handled on trains passing through Castle Rock Santa Fe Station during the period of the day (about fifteen hours) that that station has been closed in the past. The Rio Grande Station presently is open only nine hours daily, and at that time, telegraphic messages will be received and delivered. However, when the station is closed, messages can be handled through the Bell Telephone System, which furnishes such service, and if required, they can be telephoned to Larkspur or Littleton. Practically all telegrams handled at Santa Fe Station have been telephoned. Western Union and Railway Express Agency have indicated that they are agreeable to closing the stations at Castle Rock and Sedalia, as they anticipate no particular inconvenience or difficulty in handling Western Union messages and express at Castle Rock through Rio Grande Station facilities. If freight shipments via Santa Fe Line are prepaid to Castle Rock, they will be handled in substantially the same manner as now handled. No l.c.l. freight will be accepted at the Santa Fe Station in Castle Rock or Sedalia if the stations are closed, but such freight can be handled by Rio Grande, if desired, or, according to witness, can be handled in the same manner that practically all l.c.l. freight and express moves to and from Castle Rock at the present time, which is by truck, it appearing that both Castle Rock and Sedalia are located on the main north and south highway, and are served by a large number of truck lines.

Witness testified that some of the comparatively few people who travelled by Santa Fe Trains out of Castle Rock made arrangements for their tickets in Denver, where it was easier to obtain Pullman reservations -- especially for long trips; that trains will stop to discharge passengers at Castle Rock, and will stop to pick up passengers on flag; that flags will be provided at the station; that if passengers

do not desire to flag the train, the agent at Larkspur or Littleton, if notified by telephone, will give instructions to the train crew to stop at Castle Rock to pick up out-bound passengers; that it will be impossible to buy a ticket for a south-bound trip at the Rio Grande Station, but passenger can pay conductor amount of fare to the next stop, where the conductor will have a ticket prepared for the balance of the journey. Larkspur presently has only night service. The Railway Superintendent stated that if closing is permitted, Larkspur will be made a day office. Local passenger ticket sales for 1947 amounted to \$109.00. Ticket sales involving coupons to more distant points during same period totalled \$378.00. Whether due to distance of station from the city, the inclement weather, bad roads, or disinclination to travel Santa Fe, no tickets were sold at Castle Rock during January, 1948, the last month reported.

It appeared that until August, 1947, trains on Rio Grande Railroad and Santa Fe Railway were operated by manual blocks, and three block operators were maintained at Sedalia and Castle Rock until a few months prior to said day. Since that time, only one block operator has been on duty for eight hours each day. In August, 1947, automatic block signal installations were fully completed on both lines. Manual block service is no longer required, and for that reason operators are not needed for operations of trains. Trains ordinarily move in one direction only on each track of the paired tracks, and even in single-line operation, stations are kept open only at distances of from twenty-five to fifty miles apart. Since there is little passenger business and no l.c.l. business at Castle Rock, and, in the opinion of management, car-load shipments now limited almost wholly to clay can be adequately handled without the services of an agent, it desires to eliminate the expense of maintaining station with one agent. The out-of-pocket cost alone for station operation with one agent will amount to approximately \$3,500.00. Littleton Station will be open twenty-four hours out of the day, and, as aforesaid, Larkspur Agent now on duty from 6:00 o'clock P. M. to 3:00 o'clock A. M., will be on duty during the daytime. Palmer



Lake, a station to the south, also is open twenty-four hours in each day.

Fred D. Shadwell, who has been Agent Telegrapher at Sedalia for ten years, and prior to that time was at Castle Rock Station for twelve years, testified in opposition to closing Sedalia Station. He contended that service should be maintained in the interests of added safety, because the agent, during the period while on duty, could perhaps detect a hot box, broken rod, or other deficiencies in equipment, or perhaps deliver a train order in emergencies in time to avert an accident. He also contended that one of the block lights located at the switch at the northerly end of a passing track was poorly located; that from the ground it was visible at a distance of only 1200 feet, although perhaps the Engineer, being considerable distance off the ground, might be able to see it a greater distance. He thought visibility should be at least 2,000 feet. He also mentioned another signal near Castle Rock which he thought was poorly located.

In reply, Superintendent Lester stated that automatic block signals had been installed under direction of the Interstate Commerce Commission, who thought they afforded maximum safety protection; that the installations had been made by experts, and involved a large investment; that in addition to the safety features, it was believed that installation would enable the railway to effect some economies in operation -- such as closing stations not needed for operating purposes, thereby justifying the investment.

Mr. Shadwell, and other witnesses appearing in behalf of protestants, also testified to the uniformly courteous agent service obtained from the Santa Fe Agent at Castle Rock, which -- especially the furnishing of information about passenger service and delivery of Western Union Telegrams -- has not been obtainable from Rio Grande Agent. They were of the opinion that the Rio Grande Agent is neither courteous nor accommodating -- at least the quality of Rio Grande service is poor.

H. G. Johnson, who owns a clay mine, and who shipped 305 cars of clay, with revenue totalling approximately \$15,000.00 during 1947, stated that he thought the proposed arrangement would be incon-



venient; that with the existing service, he telephones the agent at Castle Rock, who procures the cars for him; that when the cars are loaded, he goes to the depot and the agent prepares the bills; that he also furnishes information about the location of and probable time of arrival of the local train which serves the community on Monday, Wednesday and Friday, and delivers the cars out of Castle Rock, which enables Johnson to know about what time he should have a car loaded; that practically all clay moves to Denver, but occasionally a shipment is made to Pueblo; that he does not pay the freight, which, for Denver shipments, is paid by Denver Sewer Pipe and Clay Company, which company, according to Mr. Lester, is not opposed to the change.

Mr. Hier, a member of the Town Council, engaged in the grain and feed business, Henry Olson, Mayor, and Herbert G. Burgess, Castle Rock Councilman, testified in opposition. They stated that the trade area of Castle Rock (the County Seat of Douglas County) extends west to the mountains and east to Elbert County; that people from that area have gone to the Santa Fe Depot to get information about train service in and out of Castle Rock, and between other points in the United States; that, theoretically, they should be able to get the same service from the Rio Grande Agent, but in the past have been unable to do so; that his attitude seems to be that the railway can "get the business without giving the service."

Mr. Burgess thought that a passenger desiring to leave on a night train might experience some difficulty in determining which train to flag, on account of the fact that three trains pass through Castle Rock at approximately the same time. Mr. Hier also thought that the poor condition of the highway had been over-emphasized, and stated that the worst places on that road had been graveled recently, and that the mail man has moved mail to and from the depot over the highway every day.

The exhibits presented by the railway showing business from and to Sedalia show substantially the same situation that exists at Castle Rock, although there is very little carload business moving out of Sedalia, which means that much less revenue accrues to the station.

Only two cars of revenue freight were handled in 1947. However, 5593 pounds of l.c.l. freight moved into Sedalia, and 4145 pounds of freight were forwarded from Sedalia in 1947. 60 pounds of l.c.l. freight were received there in January, 1948. Passenger ticket sales in 1946, 1947, and January, 1948, totalled \$24.00, \$65.00, and \$25.00, respectively.

While it appeared from the testimony that some inconvenience may result to businessmen and other residents of Castle Rock in getting information about train service, and the handling of telegrams and the boarding of south-bound passenger trains, it does not seem that such inconvenience could be considered as unreasonable, in view of the savings to be effected by the proposed change in service and the comparatively small number of residents of community who have made use of the rail or passenger facilities provided by Santa Fe Railway. No l.c.l. freight has been handled in or out of Santa Fe Depot. Carload traffic is to be handled in the same manner that it now is being handled at hundreds of railway stations in the United States, including many stations in Colorado, without unduly burdening the shippers or receivers of freight. There may be some slight inconvenience in preparing bills, but as suggested by Mr. Lester, Mr. Johnson, the only shipper of carloads appearing, can telephone the Station Agent at Larkspur or Littleton, at company expense, as easily as he now calls the Station Agent by telephone at the Santa Fe Depot to order his cars. It would not seem that the Santa Fe Railway should be required to furnish an agent to inform the public about rail service, or to receive or deliver Western Union Telegrams, or to receive or deliver Railway Express Agency express, when that business can be, and will be, handled by the Rio Grande Agent, who is conveniently located only a block away from the business district. In fact, considering the very inconvenient, out of the way location of Santa Fe Depot, service proposed for delivery and receipt of express and telegrams at Rio Grande Depot should be a decided improvement in service -- always assuming the Rio Grande Agent will do his part to make it so. If complaints are made to The Denver and Rio Grande Western Railway Company management about their agent's attitude, some effort, no doubt, will

be made to make him more courteous and agreeable. He perhaps may be made to realize that the prosperity of his road and its continued payment of wages and salaries, in a large degree, depend upon the attitude of railway employees -- especially station agents, who are the railroad's means of contact with the public. Witnesses conceded that such service should be available at Rio Grande Station.

No doubt the railway company will check the location of the two block signal lights mentioned by the agent at Sedalia, and if his objections are well taken, the situation no doubt will be corrected.

The railway, according to its representatives, does not need the continued maintenance of Santa Fe Stations for operating purposes.

The Commission realizes the fact that automatic block signals system, on the whole, is superior to any method yet devised for protection of traffic.

The service at Sedalia and Castle Rock, if maintained at all, would be solely for the convenience of residents of said communities, and after all, only a few residents avail themselves of or need that service.

Castle Rock Transfer, a "home-owned motor carrier service," furnishes round-trip truck service between Denver and Castle Rock, and intermediate points, including Sedalia, on schedule, daily, except Sunday. Weicker operates about fifteen schedules daily, north and south through Castle Rock. Rio Grande Motor Way furnishes substitute truck for said service in same manner. Three bus lines furnish twenty-one local schedules daily each way from Castle Rock, and Greyhound operates a number of interstate schedules.

Practically all freight and parcels move to and from Castle Rock by truck. Almost all the passenger business moving in and out of Castle Rock is handled by busses. The rail passenger business apparently is limited to a small amount of long-haul traffic. If the residents of Castle Rock and Sedalia were required to choose between bus and truck service, on the one hand, and train service on the other hand, unquestionably, they would decide in favor of the bus and truck service -- at least,



except for carload shipments of clay, that is the service they primarily use. They still will continue to get parcel post service by rail, and will continue to receive rail service for carload freight by Santa Fe and carload and l.c.l. freight service by Rio Grande, express and telegraph service at Rio Grande Station, and truck and bus service, although the rail service may no longer be "service with a smile," which seemed to be the witnesses' chief concern.

The railroads are now seeking from the Interstate Commerce Commission, and this Commission, rate increases, aggregating twenty-five percent. In the interests of the public, railroad must effect every possible economy in operation. The public, in the end, pays the freight bills. We believe the question here presented clearly is one of managerial discretion, and that the expense involved in maintaining the stations at Castle Rock and Sedalia will be unreasonably out of proportion to the convenience that will be afforded the public by the continued maintenance of said agencies, and would impose an unlawful burden upon the railroad.

Here, neither l.c.l. freight nor milk is handled by the railroad. Except in that respect, the situation here, in most respects, is similar to that shown in Re Closing by Chicago, Burlington & Quincy Railroad of its Agency Station at Stoneham, Colorado, decided by the Commission March 13, 1941, I. & S. Docket No. 239, Decision No. 16799, where we said:

"We believe that this question is one of managerial discretion, and under the law, unless the management acts arbitrarily in the exercise of said discretion, we cannot interfere with their decision. While some inconvenience may be suffered by receivers and shippers of freight, on account of lack of agency service, on the whole, we believe that experience has shown that l.c.l. freight, milk and carload freight can be satisfactorily handled in the manner that the railroad proposes to handle it -- at least, we cannot say that the inconvenience is out of proportion to the benefits, in the opinion of management, that will accrue to the railroad and the public, as a whole, served by the railroad, by abandonment of the station. See *Residents of Royalton, et al. v. Central Vermont Railway Company*, 138 Atlantic, 782; *Southern Railway Company v. Public Service Commission, et al.* 10 S. E. (2nd) 769; *Lowden v. State*, 8 Pacific (2nd) 1061."

FINDINGS

THE COMMISSION FINDS:

That petitionsof applicants should be granted.

ORDER

THE COMMISSION ORDERS:

That The Atchison, Topeka and Santa Fe Railway Company, be, and it hereby is, authorized to discontinue its agency services, and to close its stations at Castle Rock, Colorado, and Sedalia, Colorado, effective April 10, 1948.

That Railway Express Agency, Inc., and Western Union Telegraph Company, be, and they hereby are, authorized to discontinue their respective services at said station when said stations are closed.

That this Order be, and the same hereby is, made effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Malcom Erickson*

*Ralph C. Holton*  
*John R. Berry*  
Commissioners

Dated at Denver, Colorado,  
this 31st day of March, 1948.

DEW



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
RALPH L. STITES, 170 WEST )  
VIRGINIA AVE., DENVER 9, COLO. )  
 )  
 )  
 )

PERMIT NO. C-4204.

-----  
April 7, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Ralph L. Stites,.....  
requesting that Permit No. C-4204 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-4204, heretofore issued to.....  
Ralph L. Stites,..... be,  
and the same is hereby, declared cancelled effective February 10, 1948,

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Horton

John H. Berry  
Commissioners

Dated at Denver, Colorado,  
this 7th day of April, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
J. T. HAY, CORTEZ, COLORADO. )  
)  
)  
)  
)  
-----

PERMIT NO. C-9347.

-----  
April 7, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
J. T. Hay,.....  
requesting that Permit No. C-9347.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-9347....., heretofore issued to.....  
J. T. Hay,.....be,  
and the same is hereby, declared cancelled effective March 8, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcom Erickson*

*Ralph C. Horton*

*John R. Berry*  
Commissioners

Dated at Denver, Colorado,  
this 7th day of April, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
UNIVERSAL OIL COMPANY OF TEXAS, )  
PANHANDLE, TEXAS. )  
)  
)  
)

PERMIT NO. C-4459.

-----  
April 7, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Universal Oil Company of Texas,  
requesting that Permit No. C-4459 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-4459, heretofore issued to.....  
Universal Oil Company of Texas,.....be,  
and the same is hereby, declared cancelled effective March 4, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

-----  
*Malcolm Erickson*  
-----  
*Ralph C. Horton*  
-----  
*John R. Berry*  
-----  
Commissioners

Dated at Denver, Colorado,  
this 7th day of April, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
B. E. BARR, 1829 BROADWAY, )  
BOULDER, COLORADO. )  
)  
)  
)

PERMIT NO. C-13648.

-----  
April 7, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

B. E. Barr,

requesting that Permit No. C-13648 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-13648, heretofore issued to.....

B. E. Barr,.....be,

and the same is hereby, declared cancelled effective February 27, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*William Erickson*

*Ralph C. Horton*

*John R. Barry*

Commissioners

Dated at Denver, Colorado,

this 7th day of April, 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
E. J. KELLEY, DBA KELLEY'S, )  
101 SO. ONEIDA, PUEBLO, COLORADO )  
)  
)  
-----

PERMIT NO. C-15181.

-----  
April 7, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
E. J. Kelley, d/b/a Kelley's,.....  
requesting that Permit No. C-15181.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-15181....., heretofore issued to.....  
E. J. Kelley, d/b/a Kelley's,.....be,  
and the same is hereby, declared cancelled effective March 28, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcom Erickson*

*Ralph C. Norton*

*John R. Berry*  
Commissioners

Dated at Denver, Colorado,  
this 7th day of April, 1948.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
NORMAN J. MARTENS, BRULE, )  
NEBRASKA. )

PERMIT NO. C-15951.

April 7, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Norman J. Martens,  
requesting that Permit No. C-15951 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-15951, heretofore issued to.....  
Norman J. Martens, be,  
and the same is hereby, declared cancelled effective March 9, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Horton

John R. Barry  
Commissioners

Dated at Denver, Colorado,  
this 7th day of April, 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
WM. F. ALEXANDER, BOX 63, )  
INDIAN HILLS, COLORADO. )  
)  
)  
)  
)  
-----

PERMIT NO. C-16178.

-----  
April 7, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----

Wm. F. Alexander,-----

requesting that Permit No.<sup>m</sup> C-16178 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-16178, heretofore issued to-----

Wm. F. Alexander,----- be,

and the same is hereby, declared cancelled effective February 11, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson  
-----  
Ralph C. Norton  
-----  
John P. Barry  
-----  
Commissioners

Dated at Denver, Colorado,

this 7th day of April, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
A. H. LEBEAU, BOX 127, McFADDEN )  
WYOMING. )  
)  
)  
)

PERMIT NO. C-16864

-----  
April 7, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

A. H. LeBeau,.....

requesting that Permit No. C-16864 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-16864, heretofore issued to.....

A. H. LeBeau,..... be,

and the same is hereby, declared cancelled effective January 22, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

-----  
Malcolm Erickson  
-----  
Ralph C. Hooten  
-----  
John R. Berry  
Commissioners

Dated at Denver, Colorado,

this 7th day of April, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
GENERAL CHEMICAL CO. INC., )  
BOX 228, BOULDER, COLORADO. )  
)  
)  
)  
-----

PERMIT NO. C-17393.

-----  
April 7, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
General Chemical Co. Inc.,.....  
requesting that Permit No. C-17393.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-17393....., heretofore issued to.....  
General Chemical Co. Inc.,.....be,  
and the same is hereby, declared cancelled effective January 1, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

-----  
*Malcolm Erickson*  
-----  
*Ralph C. Horton*  
-----  
*John R. ...*  
-----  
Commissioners

Dated at Denver, Colorado,  
this 7th day of April, 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
BURT H. CHRISMAN, DBA HOLLY )  
LIQUOR, HOLLY, COLORADO. )  
)  
)  
)  
)  
-----

PERMIT NO. C-17964.

-----  
April 7, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Burt H. Chrisman, d/b/a Holly Liquor,.....  
requesting that Permit No. C-17964.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-17964....., heretofore issued to.....  
Burt H. Chrisman, d/b/a Holly Liquor,.....be,  
and the same is hereby, declared cancelled effective July 24, 1947.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Horton

John R. Berry

Commissioners

Dated at Denver, Colorado,

this 7th day of April, 1948.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
BESSIE DUGGER, GENERAL DELIVERY )  
SUPERIOR, NEBRASKA. )  
)  
)  
)  
-----

PERMIT NO. C-18006.

-----  
April 7, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Bessie Dugger,.....  
requesting that Permit No. ....C-18006.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-18006....., heretofore issued to.....  
Bessie Dugger,.....be,  
and the same is hereby, declared cancelled effective February 8, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

\_\_\_\_\_  
William C. Harrison  
\_\_\_\_\_  
Ralph C. Horton  
\_\_\_\_\_  
John R. Barry  
Commissioners

Dated at Denver, Colorado,  
this 7th day of April, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ROBERT O. ELDRIDGE, MONETA, )  
WYOMING. )  
)  
)  
)

PERMIT NO. C-19134.

-----  
April 7, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

Robert O. Eldridge,

requesting that Permit No. C-19134 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19134, heretofore issued to.....

Robert O. Eldridge,.....be,

and the same is hereby, declared cancelled effective January 29, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

-----  
*Malcolm Erickson*  
-----  
*Ralph G. Norton*  
-----  
*John P. ...*  
Commissioners

Dated at Denver, Colorado,  
this 7th day of April, 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
VERNON CLARK, RT. 5, SULPHUR )  
SPRINGS, TEXAS. )  
)  
)  
)  
)  
)  
-----

PERMIT NO. C-18152.

-----  
April 7, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----

Vernon Clark,  
-----

requesting that Permit No. C-18152 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-18152, heretofore issued to-----

Vernon Clark,-----be,

and the same is hereby, declared cancelled effective February 20, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

-----  
*Malcolm Erickson*  
-----  
*Ralph C. Woodson*  
-----  
*John B. Berry*  
-----  
Commissioners

Dated at Denver, Colorado,

this 7th day of April, 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
BILL KOLACNY, 715 GRANT, )  
FORT MORGAN, COLORADO. )  
)  
)  
)

PERMIT NO. C-19229.

-----  
April 7, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----

Bill Kolacny,

requesting that Permit No. C-19229 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19229, heretofore issued to-----

Bill Kolacny,-----be,

and the same is hereby, declared cancelled effective March 2, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Horton

John R. Barry  
Commissioners

Dated at Denver, Colorado,

this 7th day of April, 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
W. F. SCARROW, GRAND VALLEY, )  
COLORADO. )  
)  
)  
)  
)  
-----

PERMIT NO. C-19437.

-----  
April 7, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
W. F. Searrow,  
-----  
requesting that Permit No. C-19437 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19437, heretofore issued to.....  
W. F. Searrow, .....be,  
and the same is hereby, declared cancelled effective March 5, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

-----  
*Malcolm Erickson*  
-----  
*Ralph C. Norton*  
-----  
*John B. Perry*  
Commissioners

Dated at Denver, Colorado,  
this 7th day of April, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ANGUS L. SHEELEY, WETMORE, )  
COLORADO. )  
)  
)  
)  
)  
)  
-----

PERMIT NO. C-19520.

-----  
April 7, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Angus L. Sheeley,.....  
requesting that Permit No. C-19520.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19520....., heretofore issued to.....  
Angus L. Sheeley,.....be,  
and the same is hereby, declared cancelled effective March 8, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

-----  
*Malcolm Erickson*  
-----  
*Robert C. Hottel*  
-----  
*John R. Barry*  
-----  
Commissioners

Dated at Denver, Colorado,  
this 7th day of April, 1948.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
LEO C. SUTLIFF, MOTOR RT. 3, )  
COLORADO SPRINGS, COLORADO. )  
)  
)  
)  
-----

PERMIT NO. C-19539.

-----  
April 7, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----

Leo C. Sutliff,-----

requesting that Permit No. C-19539 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19539, heretofore issued to-----

Leo C. Sutliff,-----be,

and the same is hereby, declared cancelled effective March 12, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

-----  
*Malcolm Erickson*  
-----  
*Ralph C. Horton*  
-----  
*J. B. Commissioners*

Dated at Denver, Colorado,  
this 7th day of April, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
KENNETH R. MAIN, BOX 552, )  
ASPEN, COLORADO. )

PERMIT NO. C-19680.

April 7, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Kenneth R. Main,  
requesting that Permit No. C-19680 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19680, heretofore issued to  
Kenneth R. Main, be,  
and the same is hereby, declared cancelled effective March 10, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Walden Erickson  
Ralph C. Horton  
John R. Barry  
Commissioners

Dated at Denver, Colorado,  
this 7th day of April, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ALVA E. HARDEN, 2431 - 10TH AVE., )  
GREELEY, COLORADO. )  
)  
)  
)  
-----

PERMIT NO. C-19850.

-----  
April 7, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----

Alva E. Harden,

requesting that Permit No. C-19850 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19850, heretofore issued to-----

Alva E. Harden,-----be,

and the same is hereby, declared cancelled effective March 27, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Horton

John R. Barry.

Commissioners

Dated at Denver, Colorado,

this 7th day of April, 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ROBERT S. MCCORMICK, RT. 1, )  
DURANGO, COLORADO. )  
)  
)  
)  
----- )

PERMIT NO. C-19881

-----  
April 7, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----

Robert S. McCormick,

requesting that Permit No. C-19881 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19881, heretofore issued to-----

Robert S. McCormick,-----be,

and the same is hereby, declared cancelled effective February 14, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Montfort

John R. Berry  
Commissioners

Dated at Denver, Colorado,

this 7th day of April, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
THOMAS CHESTER NICHOLS AND )  
RAYMOND STANLEY BRENTON, 606 )  
SO. MAIN ST., ROCKY FORD, COLO. )  
----- )

PERMIT NO. C-19970.

-----  
April 7, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Thomas Chester Nichols and Raymond Stanley Brenton,-----  
requesting that Permit No. C-19970 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19970, heretofore issued to-----  
Thomas Chester Nichols and Raymond Stanley Brenton,----- be,  
and the same is hereby, declared cancelled effective March 13, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcom Erickson*

*Ralph C. Horton*

*John R. Barry.*

Commissioners

Dated at Denver, Colorado,  
this 7th day of April, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
CUTLER AND IRENE PADDOCK, )  
PONCHA SPRINGS, COLORADO. )  
)  
)  
)

PERMIT NO. C-20012.

-----  
April 7, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Cutler and Irene Paddock,.....  
requesting that Permit No. C-20012 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20012, heretofore issued to.....  
Cutler and Irene Paddock,..... be,  
and the same is hereby, declared cancelled effective March 9, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Melvin Erickson  
Ralph C. Hooten  
John R. Perry  
Commissioners

Dated at Denver, Colorado,  
this 7th day of April, 194 8.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
VERNON W. POTTS, JR., 266 ELM )  
ST., LITTLETON, COLORADO. )  
)  
)  
)  
-----

PERMIT NO. C-20051.

-----  
April 7, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Vernon W. Potts, Jr.,.....  
requesting that Permit No. C-20051.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20051....., heretofore issued to.....  
Vernon W. Potts, Jr.,.....be,  
and the same is hereby, declared cancelled effective February 8, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

-----  
*Malcolm Erickson*  
-----  
*Ralph C. Hartman*  
-----  
*John R. Barry*  
-----  
Commissioners

Dated at Denver, Colorado,  
this 7th day of April, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
E. H. KICENSKI, 3126 WEST 36th )  
AVE., DENVER 11, COLORADO. )  
)  
)  
)  
-----

PERMIT NO. C-20130.

-----  
April 7, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----

E. H. Kicenski,-----

requesting that Permit No. C-20130 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20130, heretofore issued to-----

E. H. Kicenski,-----be,

and the same is hereby, declared cancelled effective **March 4, 1948.**

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcolm Erickson*  
-----  
*Ralph C. Hinton*  
-----  
*John R. Barry*  
-----  
Commissioners

Dated at Denver, Colorado,

this 7th day of April, 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

✻ ✻ ✻ ✻

RE MOTOR VEHICLE OPERATIONS OF )  
WILLARD L. CORDREY, HOLYOKE, )  
COLORADO. )

PERMIT NO. C-20287

**April 7, 1948**

## S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

Willard L. Cordrey,

requesting that Permit No. C-20287 be cancelled.

## FINDINGS

**THE COMMISSION FINDS:**

That the request should be granted.

## ORDER

**THE COMMISSION ORDERS:**

That Permit No. C-20287, heretofore issued to.....

Willard L. Cordrey, \_\_\_\_\_ be

and the same is hereby, declared cancelled effective March 8, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcolm Erikson*  
*Ralph C. Norton*  
*John R. Barry*  
Commissioners

Dated at Denver, Colorado,

this 7th day of April, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
LLOYD E. ANTHONY, 600 GRIFFIN, )  
CANON CITY, COLORADO. )

PERMIT NO. C-20374.

April 7, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

Lloyd E. Anthony,

requesting that Permit No. C-20374 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20374, heretofore issued to.....

Lloyd E. Anthony,.....be,

and the same is hereby, declared cancelled effective March 27, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson  
Ralph C. Norton  
John B. Berry  
Commissioners

Dated at Denver, Colorado,

this 7th day of April, 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JOHN R. SIEBENLIST & JUSTIN F. )  
HOUSHAR DBA J & J DISTRIBUTING )  
CO., c/o TOM NEVIN, U. S. NATION- PERMIT NO. C-20386.  
AL BANK BLDG., DENVER, COLORADO )  
)

-----  
April 7, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
John R. Siebenlist & Justin F. Houshar d/b/a J & J Distributing Co.,.....  
requesting that Permit No. C-20386.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20386....., heretofore issued to.....  
John R. Siebenlist & Justin F. Houshar, d/b/a J & J Distributing Co.,.....be,  
and the same is hereby, declared cancelled effective March 17, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcom Erickson*  
-----  
*Ralph C. Houten*  
-----  
*John R. Berry*  
-----  
Commissioners

Dated at Denver, Colorado,  
this 7th day of April, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
WINSLOW C. THURMAN, BOX 412, )  
AMARILLO, TEXAS. )  
)  
)  
)  
)  
-----

PERMIT NO. C-20765.

-----  
April 7, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Winslow C. Thurman,  
requesting that Permit No. C-20765.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20765....., heretofore issued to.....  
Winslow C. Thurman,.....be,  
and the same is hereby, declared cancelled effective February 6, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcolm Erickson*  
-----  
*Ralph C. Hinton*  
-----  
*John R. Barry*  
-----  
Commissioners

Dated at Denver, Colorado,  
this 7th day of April, 1948.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
STANLEY C. LUCKETT & LEON CAGLE )  
240 SOUTH LAMAR ST., LAKEWOOD, )  
COLORADO. )

PERMIT NO. C-20926.

-----  
April 7, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Stanley C. Lockett & Leon Cagle,  
requesting that Permit No. C-20926 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20926, heretofore issued to.....  
Stanley C. Lockett & Leon Cagle,.....be,  
and the same is hereby, declared cancelled effective March 15, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Horton

John R. Barry.

Commissioners

Dated at Denver, Colorado,

this 7th day of April, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
A. E. LINDER, SEIBERT, COLORADO.)

PERMIT NO. B-3705.

April 7, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

A. E. Linder,

requesting that Permit No. B-3705 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-3705, heretofore issued to.....

A. E. Linder,

be,

and the same is hereby, declared cancelled effective March 10, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

*Malcolm Erickson*

*Randolph C. Horton*

*John R. Barry*

Commissioners

Dated at Denver, Colorado,

this 7th day of April, 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )	
A. H. CLINE, 504-13th ST., )	P. U. C. NO. 1740-I.
LUBBOCK, TEXAS. )	
-----) )	

-----  
April 7, 1948  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
A. H. Cline, requesting that Certificate of Public Convenience and  
Necessity No. 1740-I be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Certificate No. PUC-1740-I, heretofore issued to  
A. H. Cline, be, and the same is hereby, declared cancelled effective  
March 8, 1948.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson  
Ralph C. Horton  
John R. Barry.  
Commissioners.

Dated at Denver, Colorado,  
this 7th day of April, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
THE SANTA FE TRAIL TRANSPORTATION  
COMPANY TO CONVERT PERMITS NOS. A-1  
AND A-779 INTO A COMBINED CERTIFICATE  
OF PUBLIC CONVENIENCE AND NECESSITY.  
-----

APPLICATION NO. 8849.

-----  
April 3, 1948  
-----

Appearances: Grant, Shafroth and Toll, Esqs.,  
Denver, Colorado, and  
Douglas McHendrie, Esq., Denver,  
Colorado, for applicant;  
G. M. Brewer, Wichita, Kansas,  
for The Atchison, Topeka and  
Santa Fe Railway Company;  
Truman A. Stockton, Jr., Esq.,  
Denver, Colorado, for  
Consolidated Motor Freight, and  
Weicker Transfer and Storage  
Company;  
A. J. Fregeau, Denver, Colorado, for  
Weicker Transfer and Storage  
Company;  
Myron E. Burnett, Esq., Denver, Colo-  
rado, for Ernest J. Gottula and  
R. L. Harris;  
Jones and Stauffer, Esqs., Denver,  
Colorado, for Capron Truck Company.

STATEMENT

By the Commission:

On October 22, 1947, The Santa Fe Trail Transportation Company, applicant herein, a subsidiary of The Atchison, Topeka and Santa Fe Railway Company, filed its application to convert Private Carrier Permits Nos. A-1 and A-779 into a combined certificate of public convenience and necessity for the transportation of freight by truck in service auxiliary to and supplemental of rail service of The Atchison, Topeka and Santa Fe Railway Company between the points now covered by said permits, being Fort Collins, Colorado, and Greeley, Colorado, on the one hand,

and Holly, Colorado on the other hand, and all intermediate points by way of Denver and Pueblo, and between Pueblo and the Colorado-New Mexico state line by way of Walsenburg and Trinidad, with all intermediate points between Trinidad and the Colorado-New Mexico state line; and to and from the additional off-route points of Devine, Avondale, Boone, Cadden and Wiley, Permits A-1 and A-779 to be cancelled upon issuance of said certificate.

The matter was set for hearing, and heard, December 29, 1947, at 10:00 o'clock A. M., at Room 330, State Office Building, Denver, Colorado, and there taken under advisement.

At the hearing, applicant asked to amend its application by striking from its application service between Denver, Fort Collins and Greeley, and intermediate points. The amendment was allowed. This amendment eliminated all service between points covered by said permits north of Denver, and by amended application, applicant, a wholly owned subsidiary of The Atchison, Topeka and Santa Fe Railway Company, seeks only to furnish substitute rail service by motor vehicle between points served by said Railway and its subsidiary, The Arkansas Valley Railroad, on its rail lines which substantially parallel highway over which applicant now operates under private carrier authority, except between Pueblo and Trinidad, where rail road serves via La Junta, and here applicant does not seek to serve points on U. S. 85-87 intermediate between Pueblo and Trinidad. After amendment the protests of the Capron Truck Company and Consolidated Motor Freight were withdrawn.

At the hearing, the evidence disclosed that applicant is a corporation organized under the laws of the State of Kansas, and that said corporation is authorized to do business in Colorado; that its principal office in Colorado is in Denver, and its legal agent in Colorado is W. W. Grant, 730 Equitable Building, Denver, Colorado.



It further appeared that applicant is now carrying on the business of transporting freight, passengers and express by motor vehicle for hire in Colorado and other states. The applicant now owns Private Carrier Permits Nos. A-1 and A-779, the transfer of which to applicant was approved by this Commission in its Decision No. 26121 dated April 19, 1947, in Application No. 8386-PP, and Application No. 8387-PP.

Permit No. A-1, as enlarged by said decision, authorizes the transportation of commodities by motor vehicle between Denver and the Colorado-New Mexico state line, serving points south of Trinidad, Colorado, over U. S. Highway No. 85, with service to said territory from the intermediate points of Colorado Springs and Pueblo, and points on rail line of The Atchison, Topeka and Santa Fe Railway Company line between Trinidad and the Colorado-New Mexico state line.

Permit No. A-779 authorizes transportation of commodities by motor vehicle between Fort Collins and Holly, Colorado, and all intermediate points via Denver and Pueblo (viz: between Fort Collins and Denver via U. S. Highways 87 and 287, and Greeley to Denver via U. S. Highway 85, and Denver to Holly via U. S. Highway 85, Denver to Pueblo, and U. S. Highway 50, Pueblo to Holly).

It further appears that applicant is now operating over said routes under said permit, that is the routes of The Atchison, Topeka and Santa Fe Railway Company, said routes being shown on the map, attached to application and marked "Exhibit A," which by reference is made a part hereof. ✓

Mr. G. M. Brewer, of Wichita, Kansas, the General Freight Manager of applicant company, a witness for applicant, stated his company proposes to transport freight between local points on said routes only in connection with The Atchison, Topeka and Santa Fe Railway Company, and on railroad Bills of Lading or Waybill, and not otherwise, and does not propose to publish local freight rates applying between said points for independent truck transportation, or to establish joint rates with any motor vehicle carrier; that the equipment to be operated in said service is the same as that now being operated by applicant in its present service in Colorado,



and heretofore listed with this Commission. Witness further testified that the service by applicant under the proposed certificate, coordinated with and supplemental to the rail freight service of The Atchison, Topeka and Santa Fe Railway Company, will result in more efficient and satisfactory service to the public in the handling of rail freight in the territory to be served. He states it will expedite the movement of rail freight by providing more frequent scheduled trips and eliminating the necessity of accumulating less than carload local freight at depots until a carload is on hand, and will further increase the efficiency and economy of applicant's service to the public by permitting applicant to transport interstate and intrastate freight in the same vehicle at the same time.

M. E. Clinton, Assistant Superintendent of applicant company, and R. D. Shelton, Trainmaster of The Atchison, Topeka and Santa Fe Railway Company, both testified as to the type of service proposed to be rendered, and its advantages to the railroad and the railroad shippers.

Several customer witnesses, James M. Davidson, of Pueblo, who represents the Pueblo Shippers Council, Mr. McKenzie, a merchant of La Junta, Colorado, Mr. A. Harbison, a wholesale grocer of Las Animas, Colorado, all testified that the proposed service was an improvement over past service given by the railroad and a service needed in their respective communities. The witnesses testified that in many instances they preferred railroad service as it better served their needs and the proposed service would materially improve the rail service; that this service is now available in interstate shipments and has been performed for the past few months by applicant under private contract carrier authority.

Robert L. Harris, who operates the Las Animas Transfer Company under Certificate No. 254, operates a line-haul daily service between Las Animas and Pueblo, in opposition, stated he is using six pieces of equipment, that is, four straight trucks, one pickup and one semi-trailer; that he acquired said certificate in August, 1946, and that he has served the Grocers Supply Company, which Mr. A. Harbison represents, and that he

feels he is giving an adequate service between Pueblo and Las Animas.

He states he has had no complaints on his service and maintains there is presently an adequate service in his authorized area; that Las Animas has only a population of 3,000 people.

Mr. Ernest J. Gottula, of 409 West 3rd Street, Pueblo, Colorado, who operates under P. U. C. No. 222, stated he operated some 23 pieces of equipment; that he serves Devine and Boone and had been operating this service for the past 30 years. He states he wishes to protest the granting of the application for the reason that the present service is adequate, and that he had received no complaints concerning his service.

Mr. A. J. Fregeau, of Weicker Transfer and Storage Company, whose company operates under Certificate No. 8, and maintains terminals at Denver, Colorado Springs and Pueblo, states his company operates daily schedules to Trinidad and points in the Arkansas Valley, said points being largely the same as asked for in this application; that his company has a large investment in equipment and has been giving this service for a considerable length of time, and that the granting of this certificate will, in his judgment, deprive his company of considerable traffic; that his company has given this area motor vehicle carrier service, and has endeavored, at all times, to take care of the demands of the area and that they have given this service many times during their operation at a loss. His company also feels that the present service is adequate and wishes to protest the granting of common carrier authority.

This Commission has twice authorized common carrier motor carrier service by a railroad motor carrier subsidiary to engage in substituted truck for rail service auxiliary to and supplemental of the rail service of the railroad. (Rio Grande Motor Way, Decision No. 16138; Rio Grande Motor Way, Decision No. 19009).

We said in Decision No. 19009:

"We had occasion to quote from a number of I. C. C. decisions, which we again will refer to. In *Indiana Railroad, Bowman Elder, Receiver*, No. MC-48645 (Sub. No. 4) 1 Federal Carriers Cases, 475, the Interstate Commerce Commission granted the applicant railroad a certificate to operate as a common carrier without restrictions imposed by Division 5. Among other things, it held:

'Protestants contend that the evidence does not disclose that existing motor carrier service is inadequate, and that the application should therefore be denied. We have in prior decisions stated that existing motor carriers should normally be accorded the right to transport all traffic which they can handle adequately, efficiently and economically as against any person seeking to enter the field. We do not believe, however, that the granting of the authority sought herein is fundamentally in conflict with that principle.'

'In considering and her part of the same matter (Sub. No. 3) 1 Federal Carrier Cases, 369, the Commission stated:

'In the considered case, however, applicant is not proposing to enter the field of competition with established carriers in this area on the same footing as would an applicant who would have to solicit business from the shippers therein located, and who, by the acquisition of any business, no matter how small, would be taking away from another carrier some part of its business. \*\*\* Applicant already has an established clientele among shippers on the proposed line and the mere continuance of service now rendered these shippers, through a different form of transportation, will not aggravate the competitive situation now prevailing among established carriers in this area. \*\*\* it is clear that the granting of the authority herein sought will not authorize an operation which will be unduly prejudicial to, or competitive with, other motor carriers operating in the same territory, but will merely maintain the same competitive situation which has existed for some time, and, at the same time, afford to the public a more modern, economical, efficient, and flexible service than that now provided.'

'To the same effect as the foregoing decisions, is the decision of the Interstate Commerce Commission in Kansas City Southern Transportation Company, Inc., Common Carrier Application No. MC-61436, 2 Federal Carrier Cases, 181. Division 5, in considering the matter, had authorized the issuance of a certificate, limited to service between all stations on the railroad generally where motor service was coordinated with prior or subsequent rail service. The Commission's decision eliminated the condition. The Commission stated:

'Upon further consideration we are of the opinion that the division gave insufficient weight to the fact that the railroad as well as the independent motor carriers, has been and is furnishing service between the stations, but that between many of them the present means of railroad service, the way-freight train, is uneconomical and inefficient.'



This is the reason for coordinating truck service with the rail service, and as we have found (and as division 5 also found), public convenience and necessity require the increased economy and efficiency, which will result from such substituted use of trucks. By the same reasoning, however, public convenience and necessity require the substitution of truck for way-freight train service regardless of whether there is a prior or subsequent movement by rail. Such substitution is a part of the plan of coordination, and unless it can be accomplished, the full benefits in increased economy and efficiency which the public interest demands cannot be secured.<sup>1</sup>

<sup>1</sup>It must be borne in mind, as above indicated, that in all of these cases the railroad has been and is transporting the traffic in question between its stations and is under obligation to continue to do so. What it is seeking is not to enter a new field of service but to substitute a more efficient for a less efficient means of service. In both its direct and its indirect effect such substitution is in the public interest. An illustration which will come readily to mind is the widespread substitution in recent years of busses for rail service by local transit companies. One competitive carrier has no vested right in the continuation by another of an inefficient method of operation, and we believe it to be neither the policy of Congress nor the proper function of this Commission to retard any form of progress in transportation which will serve the public interest.<sup>2</sup>

Recently, in re Central of Georgia Motor Transport Co. (subsidiary of Ga. Ry. Co.) Application M. C. 105632, Div. 5, I. C. C. reached the same conclusion. The application had been fought by 16 motor carriers, American Trucking Associations and the Southern Motor Carriers Rate Conference on grounds that existing independent motor carriers could provide the needed service, that they were willing to enter into interchange arrangements with the railroad, that only the convenience of the railroad and not public necessity would be satisfied by approval of the application, and that independents would suffer from important diversions of traffic if Central of Georgia Motor Transport were permitted to link its 20 or so segments into a system.

Division 5, nevertheless, said:

"The application is not founded upon the theory that there is a material deficiency in the all-motor service provided by the existing motor carriers. To the contrary, applicant and Central (the parent) concede that most of the points under consideration are served by independent motor lines.

"The evidence is convincing that Central's present less-than-carload service from and to way-stations is slow, inefficient, and expensive, and is satisfactory neither to the railroad nor to the shipping public.

"The proposed coordinated motor-rail operation is devised to improve that service. Central will not thereby enter a wholly new field of service, but in lieu of the present inefficient service simply proposes to substitute a faster and more economical and efficient means for handling the less-than-carload traffic which it has been and is transporting, and which it is obligated to transport.

"We do not consider that one competing carrier or class or carriers has a vested right in the continuation by another of an inefficient method of operation.

"Neither are we persuaded that the revenues of existing motor carriers will be materially affected by the proposed improvement in Central's less-than-carload service. Although some shippers may increase their rail shipments if the proposed coordinated service results in material improvements the evidence in respect thereto is general in nature and does not show that any particular traffic or quantity would be diverted from protestants."

What Central desires, the Division said, and what it needs is a motor service on shipments exclusively in its custody and control. None of the protestants, the Division, asserted, serves all of the points on the applicant's routes, and, on the other hand, all serve many points not proposed to be served by applicant.

It appears that the railroad should be authorized to handle railroad freight between rail points heretofore served by its motor carrier subsidiary, The Santa Fe Trail Transportation Company.

It would seem that applications of the kind under consideration should be granted, where the railroad trucking subsidiary is willing, as here, to confine its service to transportation of freight between stations of the parent railroad, which, except for private carrier authority now held by subsidiary, would be handled by the railroad with a merchandise or other railroad car. They are now handling this service under their private carrier authority, and the granting of a certificate, they believe, will further improve the service to railroad shippers, because of railroad's sole ownership and control of The Santa Fe Trail Transportation Company. We believe that ordinarily such service should be afforded under common carrier, and not under private carrier, authority. *here*

It is obvious that said company is in a position to, and will, coordinate the truck operation proposed in this application with the rail operation of the railroad company more satisfactorily than if the railroad were compelled to coordinate its operation with that of a competing company. There is no question in our opinion that the coordinated service proposed will be in the public interest. It does not mean the institution of an additional motor carrier service. In fact, the acquisition of the private carrier permits by The Santa Fe Trail Transportation Company, and subsequent restriction of service to service ancillary to and supplemental of parent company's rail service brought about a definite reduction in competitive service offered by its predecessor. In effect, it removed principal competition of protesting carriers from the field. And, as pointed out in I. C. C. Decisions mentioned, the granting of authority here sought does not turn upon or imply that common carrier service afforded by protestants to public, as such, is inadequate. It is not adequate as a supplemental rail service, and railroad should not be precluded from improving its rail service to the public.

Other considerations mentioned in brief of applicant's counsel urged by applicant, and relied upon by other commissions granting authority similar to that sought by applicant herein can be cited as persuasive.



They are:

Usually no one carrier serves the entire rail route under consideration, so that unless the railway's affiliated motor carrier is used, the railway company would have to make arrangements with several different carriers.

Conflicts over the use and priority of trucks would arise.

The work load on the railway company's Claim and Accounting Departments would be disproportionately increased.

This would result in an inevitable disclosure of sources of traffic to competing motor carriers.

The railway company would have no control over the truck drivers.

The arrangement would be a possible source of labor disputes with the railway company's own drivers.

The independent carriers could not readjust their schedules to the rail schedules.

The independent carriers would have their own facilities and would not or could not use joint facilities with the railway company.

Common management means better coordination than could be obtained by arms length contracts with several independent carriers, and

The Commission cannot compel coordinated rail-truck service with independent carriers.

### FINDINGS

We, therefore, are of the opinion, and find, that the public convenience and necessity require the motor vehicle common carrier service of applicant, The Santa Fe Trail Transportation Company, for the transportation of commodities, generally, in intrastate and interstate commerce between Denver and Holly and the Colorado-New Mexico State Line, via U. S. Highways Nos. 85-87 Denver to Colorado-New Mexico State Line and U. S. Highway No. 50, Pueblo to Holly, with the right to serve from, to and between all points intermediate on said routes between Denver, Holly and Colorado-New Mexico State Line via Pueblo, served by The Atchison, Topeka and Santa Fe Railway Company on its lines substantially paralleling said highway route between Denver, the Colorado-New Mexico State Line, and Holly (specifically excluding

service from, to, or between points intermediate to, but not including, Pueblo and Trinidad, Colorado); and also, the right to serve off-highway-on-rail points of Devine, Avondale and Boone via U. S. Highway 96 and State Highway 209 to junction of said Highway 209 with Highway 50, Caddoa via State Highway 266 from junction said Highway 266 with U. S. Highway 50, and Wiley via State Highway 169 from junction said 169 with U. S. 50 and/or via U. S. Highway 287 from junction, subject to the conditions and restrictions imposed in the Order following, which the Commission finds are in the public interest, and that certificate of public convenience and necessity should issue therefor.

The Commission further finds that Private Carrier Permits Nos. A-1 and A-779, upon the issuance of the certificate herein sought by the instant application, should be cancelled.

#### ORDER

##### THE COMMISSION ORDERS:

That the public convenience and necessity require the motor vehicle common carrier service of applicant, The Santa Fe Trail Transportation Company, for the transportation, on schedule, of commodities, generally, in intrastate and interstate commerce by motor vehicle between Denver and Holly and the Colorado-New Mexico state line, via U. S. Highways 85-87, Denver to Colorado-New Mexico State line and U. S. Highway 50, Pueblo to Holly, with the right to serve from, to and between all points intermediate on said route between Denver, Holly and Colorado-New Mexico state line via Pueblo, served by The Atchison, Topeka and Santa Fe Railway Company on its lines substantially paralleling said highway route between Denver, the Colorado-New Mexico state line and Holly (specifically excluding service from, to or between points intermediate to but not including Pueblo and Trinidad on U. S. 85-87); and the right to serve off-highway-on-rail points of Devine, Avondale and Boone via U. S. Highway 96 and State Highway 209 to junction of said State Highway 209 with U. S. Highway 50, and Caddoa via State Highway 266 from junction said State Highway 266 with U. S. Highway 50, and Wiley via State Highway 169 from junction said State Highway 169 with U. S. Highway 50 and/or via U. S. Highway 287 from junction with U. S. Highway 50, subject to the following conditions:

1. The service by motor vehicle to be performed by applicant shall be limited to service which is auxiliary to, or supplemental of, railroad service.

2. Applicant shall not serve, or interchange traffic at any point not a station on a rail line of The Atchison, Topeka and Santa Fe Railway Company or a rail subsidiary thereof, a "station" being any station or depot facility adjacent to or reasonably near railroad tracks where less-than-carload freight normally is unloaded from or loaded on or into freight cars or where such freight ordinarily is received from consignees or made available to consignees within depot grounds.

3. Shipments transported by applicant shall be limited to those which it receives from, or delivers to, the railway under a through Bill of Lading. *here*

4. All contractual arrangements between applicant and the railway shall be reported to the Commission and shall be subject to revision if, and as the Commission finds it to be necessary in order that such arrangements shall be fair and equitable to the parties.

5. Such further specific conditions as the Commission in the future may find it necessary to impose, in order to restrict applicant's operations by motor vehicle to service that is auxiliary to or supplemental of railway service, the Commission hereby retaining jurisdiction herein to enter such orders, if deemed necessary in the public interest, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

The interstate rights hereby granted is issued subject to strict compliance by applicant with provisions of Federal Motor Carrier Act of 1935, as amended, and the issuance of Interstate Authority by I. C. C. before such rights become effective.

It is further ordered that Private Carrier Permits Nos. A-1 and A-779 be, and they hereby are, cancelled effective if and when this order granting a certificate of public convenience and necessity becomes effective.



That applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

That applicant shall operate its carrier system in accordance with the order of the Commission except when prevented by Act of God, the public enemy or extreme conditions.

That this order is subject to compliance by applicant with all present and future laws and rules and regulations of the Commission.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcom Erickson

Rae W. C. Holton

John R. Barry  
Commissioners.

Dated at Denver, Colorado,  
this 3rd day of April, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
RALPH BAKER, DOING BUSINESS AS )	
"GRAND JUNCTION-PALISADE FREIGHT )	
LINE," 218 NORTH SECOND STREET, )	<u>APPLICATION NO. 9144-Transfer.</u>
GRAND JUNCTION, COLORADO, TO TRANS- )	
FER CERTIFICATE NO. PUC-17 TO )	
GEORGE BUNTE, JR., DOING BUSINESS )	
AS "GRAND JUNCTION-PALISADE FREIGHT )	
LINE," PALISADE, COLORADO. )	
----- )	

-----  
April 3, 1948  
-----

Appearances: Wayne N. Aspinall, Esq.,  
Grand Junction, Colorado,  
for applicant.

S T A T E M E N T

By the Commission:

Ralph Baker, of Grand Junction, Colorado, is the owner of PUC-17, which authorizes the transportation of freight and express between Palisade and Grand Junction, Colorado, and intermediate points in Mesa County, in both directions, via Clifton, Colorado. He now seeks authority to transfer said Certificate No. PUC-17 to George Bunte, Jr., doing business as "Grand Junction-Palisade Freight Line," of Palisade, Colorado.

It appears that in Case No. 41361-Ins., PUC No. 17 was revoked for failure to keep in force effective insurance.

It now appears that through some misunderstanding by the staff of the Commission, said certificate was revoked while effective insurance was on file.

Inasmuch as the files of the Commission and the verified application herein show that said certificate is in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to the account of the transferee; that there are no outstanding unpaid operating obligations against said certificate; that transferee, pecuniarily and otherwise,

is able and qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to the transfer of said certificate, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

#### F I N D I N G S

##### THE COMMISSION FINDS:

1. That Case No. 41361-Ins., should be revoked and set aside.
2. That the proposed transfer is in the public interest and should be authorized, subject to the payment of outstanding indebtedness, if any.

#### O R D E R

##### THE COMMISSION ORDERS:

1. That Case No. 41361-Ins., be cancelled and set aside, and said PUC No. 17 be restored to its former active status.
2. That Ralph Baker of 218 North 2nd Avenue, Grand Junction, Colorado, be, and he hereby is, authorized to transfer all his right, title and interest in and to PUC No. 17 to George Bunte, Jr., doing business as "Grand Junction-Palisade Freight Line," Palisade, Colorado, subject to payment of outstanding indebtedness secured by mortgage or otherwise, if any there be; that the ton-mile tax deposit of transferor shall be transferred and credited to the account of the transferee herein.

That the tariff of rates, rules and regulations of the transferor shall become and remain those of the transferee until changed according to law and the rules and regulations of this Commission.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Hoban

John R. Barry  
Commissioners.

Dated at Denver, Colorado,  
this 3rd day of April, 1948.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
ZEPHYR VAN LINES, INC., 140 NORTH )  
DEARBORN STREET, CHICAGO, ILLINOIS, )  
FOR AUTHORITY TO LEASE INTERSTATE )  
OPERATING RIGHTS TO PAUL J. SMITH, )  
HAROLD P. SMITH, AND O. J. PLUMMER, )  
JR., CO-PARTNERS, DOING BUSINESS AS )  
"REPUBLIC VAN & STORAGE CO.," 214 )  
NORTH ALAMEDA STREET, LOS ANGELES, )  
CALIFORNIA. )  
-----)

PUC NO. 1630-I-Lease.

-----  
April 3, 1948  
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S T A T E M E N T

By the Commission:

Heretofore, Zephyr Van Lines, Inc., Chicago, Illinois, was authorized, subject to the provisions of the Federal Motor Carrier Act of 1935, to operate as a common carrier by motor vehicle for hire in interstate commerce, and PUC No. 1630-I issued to it.

Said certificate-holder now seeks authority to lease said operating rights to Paul J. Smith, Harold P. Smith, and O. J. Plummer, Jr., co-partners, doing business as "Republic Van & Storage Co.," Los Angeles, California, until September 14, 1951.

The Interstate Commerce Commission, in Docket No. MC-FC 31487, on October 31, 1947, approved said lease arrangement.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Zephyr Van Lines, Inc., Chicago, Illinois, be, and it hereby is, authorized to lease PUC No. 1630-I to Paul J. Smith, Harold P. Smith, and O. J. Plummer, Jr., co-partners, doing business as "Republic Van & Storage Co.," Los Angeles, California, until September 14, 1951, in accordance with

the lease agreement entered into between said parties which was approved by the Interstate Commerce Commission on October 31, 1947, in Docket No. MC-FC 31487.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcom Erickson

Robert C. Hahn

John R. Barry  
Commissioners.

Dated at Denver, Colorado,  
this 3rd day of April, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

IN THE MATTER OF THE APPLICATION OF )  
CERTAIN CREDITORS OF FRED W. SCHULTZ, )  
DOING BUSINESS AS "DENVER-PUEBLO )  
TRUCK LINE," 2590 WALNUT STREET, )  
DENVER, COLORADO, FOR AUTHORITY FOR A )  
TRUSTEE TO OPERATE THE RIGHTS AND )  
PROPERTIES OF SAID COMPANY UNDER PERMIT )  
NO. A-607. )  
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APPLICATION NO. 9149-PP  
PERMIT NO. A-607

-----  
April 3, 1948  
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O R D E R

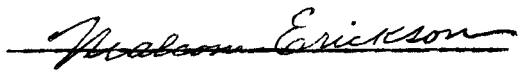
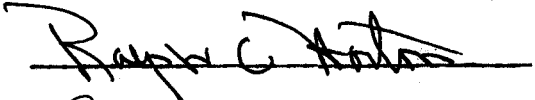
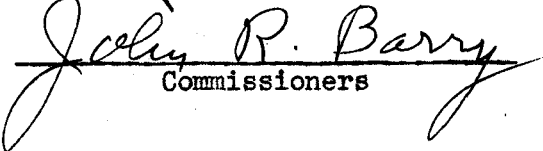
The Commission having under consideration the above-styled application, made in behalf of "Certain Creditors of Fred W. Schultz, doing business as 'Denver-Pueblo Truck Line,' unnamed, for an Order of this Commission "appointing Truman A. Stockton, Jr. Trustee for the benefit of creditors, and authorizing the operation of the rights and properties of said company under the terms of the Trustee Agreement hereafter submitted, or as amended by the Commission, if such be the case."; and also having under consideration the question of the jurisdiction, right, and power of the Commission to enter the Order requested, which, in effect, would amount to transfer of the operating rights of said Fred W. Schultz, doing business as "Denver-Pueblo Truck Line," to Truman A. Stockton, Jr. as Trustee, the said Fred W. Schultz, and one Clyde A. Rice, Englewood, Colorado, to whom said Fred W. Schultz has mortgaged said permit, not having joined in said application;

IT APPEARING, That the Commission will be unable to reach a determination with respect to the question raised by the aforementioned petition, ex-parte, and that it is therefore desirable and appropriate to set said matter for hearing upon the merits and upon the desirability of granting, and the right and jurisdiction of the Commission to enter Order requested.

IT IS THEREFORE ORDERED, That the above-styled application be, and the same hereby is, set for hearing, before the Commission, at Room 330 State Office Building, Denver, Colorado, on the 12th day of April A. D., 1948, at ten o'clock A.M., and

IT IS FURTHER ORDERED, That copy of this Order be served upon Messrs. Ira L. Quiat and Nathan H. Creamer, Esqs., Truman A. Stockton, Jr., Esq., George A. Schmitz, of Denver-Chicago Trucking Company, Joseph Seaton, of Rio Grande Motor Way, Inc., and Martin Rogell, of International Forwarding Company, and all creditors who heretofore have filed claims with the Commission against said Fred W. Schultz, doing business as "Denver-Pueblo Truck Line," in order that they may appear and be heard upon the petition, and the questions heretofore mentioned herein.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 3rd day of April, 1948.

H

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

At a General Session of the  
Public Utilities Commission  
of the State of Colorado, held  
at its office in Denver, Colo-  
rado, on April 5th, 1948.

INVESTIGATION AND SUSPENSION DOCKET NO. 284.

IT APPEARING, That on March 6, 1948, The Denver & Rio Grande Western Railroad Company, by L. F. Wilson, its Assistant General Manager, filed its petition to close the agency station at McCoy, Colorado, in compliance with the Commission's General Order No. 34, reciting that said station is located on the Moffat Division, approximately 5.6 miles from Orestod, Colorado, which is also an agency station; and

IT FURTHER APPEARING, That the petition recited that the business done at the McCoy station does not justify the maintenance of an agency station at said point and that the business can be readily handled at Orestod; and

IT FURTHER APPEARING, That the intention of the applicant having become known to residents of the McCoy trade area, they filed with the Commission, under date of March 25, 1948, their petition to deny the closing of the agency station, said petition being signed by twenty-six community residents; and

IT FURTHER APPEARING, That it is claimed in said petition that the Town of McCoy and the McCoy community have no other means of trade and commerce with other towns and cities in Colorado, because of their geographical location and isolation, and is entirely dependent upon The Denver and Rio Grande Western Railroad for its freight and passenger service; and

IT FURTHER APPEARING, That the effective date of the proposed closing of the McCoy station might injuriously affect the rights and interests of the McCoy community;

THE COMMISSION FINDS:

That closing day of said agency should be suspended and an investigation had.


THE COMMISSION ORDERS:

That the effective date of the proposed closing of the McCoy Station be, and it hereby is, suspended for a period of one hundred and twenty (120) days from April 12, 1948, or until August 10, 1948, unless otherwise ordered.

That the matter of the proposed closing of the McCoy station be, and it hereby is, made the subject of an investigation, and should be, and hereby is, set for hearing before the Commission at the District Court Room in Eagle, Colorado, on May 3, 1948, at 10:00 o'clock A. M.

That a copy of this order be filed with the application herein and a copy hereof be forthwith served on L. F. Wilson, Assistant General Manager of The Denver & Rio Grande Western Railroad Company, T. R. Woodrow, Esq., and T. A. White, Esq., Attorneys for the petitioner, P. O. Box 2040, Denver 1, Colorado; A. R. Ferris, Chairman, Order of Railroad Telegraphers, 1810 Cody Street, Lakewood, Colorado; and Chairman, Board of County Commissioners, of Eagle County, Eagle, Colorado, and upon each of the petitioners signing the petition referred to in the Statement herein, which by reference is made a part hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Malcolm Erickson  
Ralph C. Ashton  
John R. Barry  
Commissioners.

Dated at Denver, Colorado,  
this 5th day of April, 1948.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF  
CLARENCE A. WILEY AND HAROLD L.  
BLAZER, 703 E. COLORADO AVENUE,  
COLORADO SPRINGS, COLORADO, FOR A  
CLASS "A" PERMIT TO OPERATE AS  
PRIVATE CARRIERS BY MOTOR VEHICLE  
FOR HIRE.

APPLICATION NO. 8833-PP.

-----  
April 5, 1948  
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Appearances: Strachan and Horn, Esqs.,  
Colorado Springs, Colo-  
rado, for applicants;  
A. J. Fregeau, Denver,  
Colorado, for Weicker  
Transfer and Storage  
Company;  
L. M. Rhodes, Denver, Colo-  
rado, for Weicker Transfer  
and Storage Company;  
Myron H. Burnett, Esq., Den-  
ver, Colorado, for the  
Common Carrier Division of  
The Colorado Motor Carriers'  
Association;  
Lowe P. Siddons, Colorado  
Springs, Colorado, for  
Colorado Springs Chamber  
of Commerce.

STATEMENT

By the Commission:

By this application, Clarence A. Wiley and Harold L. Blaser seek authority to operate as Class "A" private carriers by motor vehicle for hire for the transportation of freight from and to Colorado Springs and Castle Rock, Colorado, on the one hand, to and from Elbert, Kiowa, Elizabeth, and Franktown, Colorado, on the other, specifically excepting transportation of any commodities from or to Colorado Springs, to or from Castle Rock, and service from or to any points intermediate between Castle Rock and Colorado Springs on U. S. Highway No. 85.

A public hearing, after appropriate notice to all parties in interest, was held in Colorado Springs, Colorado, and the matter was taken under advisement.

It there appeared that applicants, who are co-partners, have invested the sum of \$3,400.00 in a bob-tail truck, and 24-foot semi; that a number of merchants in Colorado Springs -- including Hendrie & Bolthoff, Joslyn Fruit and Produce, National Commission Company, Puffer Mercantile Company, B. F. Goodrich Company, Lane Implement Company, Shaffer Implement Co., Casey Welding Company, Sears Roebuck & Company, Aldridge Mercantile Company, General Hardware & Implement Company, Dera-Brady Company, Modern Woodworking Company, and Jack Crandall, Inc. -- have sought the proposed service of applicants, who expect to operate out of Colorado Springs through the Black Forest to Elbert and Kiowa, thence to Elizabeth, Franktown, and Castle Rock, over various state highways, if the authority sought is granted. Presently, there is no service, on schedule or otherwise, between said points that is prepared to, or does, serve the merchants in Elbert, Kiowa, Elizabeth, and Franktown, who desire merchandise from Colorado Springs or Castle Rock, and similarly, no regular service is available for the transportation of commodities from said towns to Castle Rock or Colorado Springs. Applicants initially propose to operate twice-a-week service, on schedule, and will expand the service if business offered justifies such expansion.

Messrs. R. P. Aldridge and Jack Crandall, businessmen of Colorado Springs, testified in support of the application. They stated that residents, including merchants, in Colorado Springs, wanted the service; that during the war, they enjoyed a substantial business from merchants residing in the towns applicants will serve, and that since the war, on account of lack of adequate transportation facilities, they have lost that business; that residents of the area no longer are willing to pay the extra transportation charges involved in shipping the merchandise to destination via Denver; that if transportation services are available, merchants, generally, would visit the territory and develop business.

Mr. Grandall, who is a wholesaler of auto parts, now "travels a man through the area," deliveries being made under a Commercial Carrier Permit. He stated that he would prefer to ship by for-hire carrier. He also pointed out that the Black Forest area naturally is a part of Colorado Springs trade area; that a considerable portion of the area is within El Paso County, and people residing there go to Colorado Springs on pleasure and business.

Lowe P. Siddons, Traffic Manager for Holly Sugar Company, and Chairman of the Transportation Committee of Colorado Springs Chamber of Commerce, in behalf of the Chamber of Commerce and the merchants of Colorado Springs, urged that the application be granted.

G. F. Wharton, (PUC No. 319) stated that he did not object to the granting of the authority sought.

Homer Jessup, who operates Elbert Transfer, with a daily on-schedule service between Elbert and Denver, and who has authority to furnish a call and demand service from and to points in the vicinity of Elbert, to and from Colorado Springs and other points in the State of Colorado, stated that he was opposed to the granting of the authority sought, because it might have a tendency to divert some business that would move over Weicker's line to Denver, and thence via his line back to Elbert, the proposed operation of applicants being much shorter, thus reducing his revenue. He said that he would haul a load from or to Colorado Springs, to or from his territory under his call and demand certificate, if it were sufficient in volume to pay; that, in his judgment, there was not enough freight available to be hauled by applicants over their proposed route to make the service a paying one; that a line had been operated for a short time, and discontinued. On cross-examination, he stated that "I am not thinking about the merchants. I am thinking about our service out of Denver."

G. Barnhill (PUC No. 375), with authority to serve between Peyton and Denver in call and demand service, and between, from, and to



points in the area extending twenty-five miles west, north and south of Peyton, and twenty miles east thereof, stated that he "sometimes went to Colorado Springs with a load, and would then haul merchandise back to Peyton from Colorado Springs on class rates," which he cannot lawfully do.

Upon the foregoing record, it would seem that the application must be granted. The statute provides that we should not grant private carrier permits where the operation to be performed, if authorized, will tend to impair the efficiency of a common carrier service which is then adequately serving the area involved. It is true that Mr. Jessup's service is adequate between Denver and Colorado Springs, but his service is not adequate between Colorado Springs and Elbert. He suggests that the granting of the authority sought may mean curtailment of Denver-Elbert service. This, if true -- and we doubt that result will follow -- would be regrettable, but we do not think the Legislature had that situation in mind when this statute was enacted. Considering the situation here, we believe the service involved which must be found to be adequate if the application is denied, is service between Colorado Springs and Elbert. The effect of our order, if we were to adopt Mr. Jessup's views, would be to give the Commission the power to deny residents of an area the right to seek a new supply point and market, and would deny the merchants of Colorado Springs the right to seek and develop a new market.

### FINDINGS

The Commission is of the opinion, and finds, that the proposed operation will not tend to impair the efficiency of the service of any common carrier now adequately serving the area, and that said application should be granted.

### ORDER

#### THE COMMISSION ORDERS:

That Clarence A. Wiley and Harold L. Blazer, Colorado Springs, Colorado, be, and they hereby are, authorized to operate as Class "A"

private carriers by motor vehicle for hire for the transportation of freight from and to Colorado Springs and Castle Rock, Colorado, on the one hand, to and from Elbert, Kiowa, Elizabeth, and Franktown, Colorado, on the other, specifically excepting transportation of any commodities from or to Colorado Springs, to or from Castle Rock, and also excepting service from or to any points intermediate between Castle Rock and Colorado Springs on U. S. Highway No. 85.

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this order is the permit herein provided for, but it shall not become effective until applicants have filed a statement of their customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and have secured identification cards.

That the right of applicants to operate hereunder shall depend upon their compliance with all present and future laws and rules and regulations of the Commission.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Austin

John R. Barry  
Commissioners.

Dated at Denver, Colorado,  
this 5th day of April, 1948.

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Original

( Decision No. 30208 )

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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At a General Session of the Public  
Utilities Commission of the State  
of Colorado, held at its office in  
Denver, Colorado, on April 5, 1948.

INVESTIGATION AND SUSPENSION DOCKET NO. 283

IT APPEARING, That on November 28, 1947, The Indian Hills Water System Association, by Genendal Towbin, President, filed a proposed rate schedule, to become effective on May 1, 1948, for water service, said proposed schedule being an increase in all classes of service rendered by it, the increase averaging more than 33 per cent; and

IT FURTHER APPEARING, That on November 25, 1947, the Water Association, in compliance with the Commission's General Order No. 33, notified all of its users of service that it had filed with the Commission the proposed rate increases, and following receipt of this notice, to-wit, on March 30, 1948, twenty-three of the users and ten residents of the community made their complaints to the Commission of their objections to such increases, reciting that they believed the rates to be exorbitant, considering the length of time the water is turned on, and the amount of service given each householder during the year; and

IT FURTHER APPEARING, From an investigation made by the Commission's Auditor, that the Association has not properly filed its financial reports in such manner that the financial status of the Company and requirements, if any, of additional revenue, could be determined; and

IT FURTHER APPEARING, That the effective date of the proposed increase might injuriously affect the rights and interests of the users, or others, who might be concerned:



## FINDINGS

### THE COMMISSION FINDS:

That the effective day of said proposed rates should be suspended and an investigation had.

## ORDER

### THE COMMISSION ORDERS:

That the effective date of the proposed rate schedule be suspended for a period of one hundred and twenty (120) days from May 1, 1948, or until August 30, 1948, unless otherwise ordered.

That the proposed rate increase and the financial status and physical condition of the property of the Indian Hills Water System Association be made a subject of investigation by the Commission within said period of suspension, or such further time as the same may be lawfully suspended.

That a copy of this order be filed with the proposed rate schedule and complaints filed therewith, and a copy hereof be forthwith served on Genendal Towbin, President of the Indian Hills Water System Association, 2257 West 32nd Avenue, Denver, Colorado; Omar M. Colman, President of the Indian Hills Community Club, Indian Hills, Colorado; Henley A. Calvert, Esq., Equitable Building, Denver, Colorado; Frank L. James, C/o Down-Town Buick Company, Denver, Colorado; and C. J. Wald, Indian Hills, Colorado; representatives of the complainants.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Malcom Erickson*

*Joseph C. Hahn*

*John R. Barry*  
Commissioners

DATED at Denver, Colorado,  
this 5th day of April, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
IRA ANKRUM, GUFFEY, COLORADO, FOR A  
CLASS "B" PERMIT TO OPERATE AS A  
PRIVATE CARRIER BY MOTOR VEHICLE  
FOR HIRE.

APPLICATION NO. 8886-PP

April 8, 1948

Appearances: John P. Thomas, Esq., Canon City,  
Colorado, for applicant;  
R. E. Schattinger, Jefferson,  
Colorado, for R. E. Schattinger  
and Sons;  
Myron H. Burnett, Esq., Denver,  
Colorado, for Common Carrier  
Division of The Colorado  
Motor Carriers' Association,  
John Dilley, Shirley Avery.

S T A T E M E N T

By the Commission:

By his private carrier application filed herein, applicant seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of farm and ranch products, including livestock, and farm and ranch supplies, between points within a radius of fifteen miles of Guffey, and from and to points in said area, to and from Denver, Colorado Springs, Pueblo, and Canon City, Colorado.

A public hearing was had, after appropriate notice to all parties in interest, at Colorado Springs, Colorado, and the matter was taken under advisement.

It there appeared that applicant is the owner of a 1947 Chevrolet truck, of two-ton capacity; that he resides at Guffey, which is located in a ranching and livestock-producing area in the mountains west of Gripple Creek, near State Highway No. 9, which extends from Hartsel

on U. S. Highway No. 24 southwesterly a distance of about fifty miles to junction with U. S. Highway No. 50, about nine miles west of Canon City. The territory around Guffey is somewhat isolated. Highway No. 9 is surfaced to a point about five miles north of Guffey. The balance of the road is unimproved, and at times is impassable. There are no roads east to Cripple Creek or west. The nearest resident carrier service is that operated by John Dilley, which is headquartered at Canon City, thirty-three miles distant from Guffey. Principal commodities moving out of the area are hay and livestock. The demand for transportation between points within a radius of fifteen miles of Guffey is not heavy. Principal in-bound commodities consist of farm supplies, such as farm machinery, cake, salt, manufactured feeds, ranch machinery and equipment, building materials, building supplies, such as wire, fence posts, lumber, hardware, etc.

W. C. Nash, who resides in the Guffey area forty miles from Canon City, a rancher and stockman, testified that a resident carrier service was needed in the area; that, if the applicant were authorized to serve, he could be called at any time by his customers, and, unless he happened to be absent on a trip, would be immediately available; that he had used the service of John Dilley, the common carrier operating out of Canon City, who had ranch interests in the area and was thoroughly familiar with the territory; that Dilley's service -- at least for the transportation of large amounts of livestock -- was good, but he was not a resident of the area, did not maintain trucks at Guffey, and was not available for immediate service; that, while Dilley had a small truck, he does not handle small shipments of livestock through to Denver, Colorado Springs, or Pueblo, but hauls the cattle to Canon City, where he accumulates them and loads them, along with other cattle, into a large truck; that neither he nor other shippers in the area like that service; that, also, service is not available for transportation of commodities, especially feed and other farm supplies and livestock, from or to Canon City, except

Dilley's service, and that he first must be contacted at Canon City, and that, after some time, he sends a truck to Guffey for an out-bound shipment, or delivers the in-bound shipment at Guffey.

Messrs. Witherspoon, Kestle, Campbell, Elmer Arvider, and Harry Arvider, all residents and ranchers of the area, testified to the same effect.

In opposition, Mr. Dilley stated that he had two small trucks, two medium trailers, and a large semi-trailer, which are stationed at Canon City; that the small loads that he could get out of the Guffey area kept his men busy while they waited for "big jobs," and that he needed the livestock business of the ten or fifteen customers he had in said area to keep his operation going. He admitted that he consolidated shipments at Canon City, but stated that was for the benefit of the ranchers, because, by consolidating shipments, he was able to make up a ten-thousand-pound minimum, the shippers paying proportionately the total charges for the ten-thousand-pound load.

E. A. Schattinger, who operates a common carrier service under PUC No. 1518, with headquarters at Jefferson, thirty-three miles north of Hartsel, also protested the granting of the authority to haul livestock from points more than five miles north and five miles west of Guffey. He thought that the granting of authority to serve within fifteen miles of Guffey "would hurt to a certain extent." Obviously, he was not interested in handling the business from the area beyond the point which can be reached by the improved highway.

J. M. Williams (PUC No. 1431), livestock wholesaler, with headquarters at Colorado Springs, 110 miles from Guffey, who has three straight trucks and four semis, objected to the granting of livestock-hauling authority to applicant. He stated that occasionally he has operated in the Guffey territory, but ordinarily does not go beyond Florissant. However, he, too, was opposed to the granting of authority to haul livestock.

The Commission, on a number of occasions, has held that each community, as a general proposition, is entitled to the services of a resident carrier. As shown by the testimony, Guffey is in an isolated and undeveloped section of the State. Communication facilities are not too good, and it would seem that residents of Guffey and the territory within a radius of fifteen miles thereof should not be required to seek transportation service at Jefferson, fifty-nine miles from Guffey, Canon City, forty-two miles distant, or Colorado Springs, one hundred and ten miles away. We realize that the granting of this authority may take some business away from Mr. Dilley. On the other hand, a carrier — private or common — headquartered at Guffey, must have enough business to justify the investment in trucks, payment of insurance, and other overhead, or he cannot stay in business. If the people of the territory want and need his service, it does not seem that they should be required to go to Canon City, Jefferson, or Colorado Springs for carrier service if they want some livestock hauled to Denver, Colorado Springs, Canon City, or Pueblo. If their contract carrier is to provide them with their immediate needs in the way of transportation service in the locality, he should get the other business they have available — at least so-called "small loads" of livestock which he can handle with his equipment.

### F I N D I N G S

#### THE COMMISSION FINDS:

That common carrier service between points within a radius of fifteen miles of Guffey, and from and to points in said area, to and from Denver, Colorado Springs, Pueblo, and Canon City, is not adequate, and that the authority sought should be granted.

### O R D E R

#### THE COMMISSION ORDERS:

That Ira Ankrum, Guffey, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of farm and ranch products, including live-

livestock, and farm and ranch supplies, between points within a radius of fifteen miles of Guffey, and from and to points in said area, to and from Denver, Colorado Springs, Pueblo, and Canon City, Colorado.

All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of this Commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Malcolm Erickson*

*Joseph C. Hotal*  
*John R. Barry*  
Commissioners

DATED at Denver, Colorado,  
this 8th day of April, 1948.

EHC



(Decision No. 30210)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
THE WESTERN COLORADO POWER COMPANY,  
a Corporation, TO ISSUE AND DELIVER  
TO UTAH POWER & LIGHT COMPANY, a Cor-  
poration, ITS PROMISSORY NOTE.

APPLICATION NO. 9150

March 31, 1948

STATEMENT

By the Commission:

Upon consideration of the application filed on March 26, 1948,  
by The Western Colorado Power Company in the above-styled matter:

ORDER

THE COMMISSION ORDERS:

That a public hearing be held, commencing on April 10, 1948,  
at 10:00 o'clock A.M., 330 State Office Building, Denver, Colorado, respect-  
ing the matters involved and the issues presented in this proceeding. Any  
interested municipality or any representative of interested consumers or  
security holders of applicant corporation, and any other person whose partici-  
pation herein is in the public interest, may intervene in said proceedings.  
Intervention petitions should be filed with the Commission on or before  
Thursday, April 8, 1948, and should set forth the grounds of the proposed  
intervention, and the position and interest of the petitioners in the pro-  
ceeding, and must be subscribed by interveners.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Malcolm Erickson*

*Joseph C. Hata*

*John R. Barry*  
Commissioners

Dated at Denver, Colorado,  
this 31st day of March, 1948  
JH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
FRED DONEY, ROUTE 1, WILEY, COLORADO, )  
FOR CLARIFICATION OF DECISION NO. )  
23083, AUTHORIZING TRANSFER OF PERMIT )  
NO. B-2971, FROM CHARLES OSWALD AND )  
HUEL OSWALD, DOING BUSINESS AS )  
"CHARLES OSWALD AND SON," BY A SUP- )  
PLEMENTAL ORDER PROVIDING FOR THE )  
ELIMINATION FROM THE ORIGINAL AU- )  
THORITY GRANTED IN DECISION NO. )  
20952, DATED MAY 25, 1943, THE BRO- )  
VISION: "AUTHORITY HEREIN GRANTED )  
SHALL EXTEND ONLY FOR THE DURATION )  
OF THE WAR AND SIX (6) MONTHS )  
THEREAFTER." )

APPLICATION NO. 6325-PP-A  
PERMIT NO. B-2971

April 9, 1948

Appearances: Jones and Stauffer, Esqs.,  
Denver, Colorado, for  
Harold Covey, John Law;  
H. D. Johnson and Charles  
Shinn, Esqs., Lamar, Colo-  
rado, for L. O. Light.

S T A T E M E N T

By the Commission:

On January 4, 1945, the Commission authorized Fred L. Doney to acquire, and pursuant to the authority therein contained he did thereafter acquire, the operating authority granted Charles Oswald and Huel Oswald, doing business as "Charles Oswald and Son," by Decision No. 20952, of date May 25, 1943, to operate as Class "B" private carriers by motor vehicle for hire for the transportation of:

livestock between points within a radius of ten miles of Wiley, Colorado, and from said area on the one hand to Denver on the other hand, including service from Denver to said area; also the right to transport farm products, feed and farm supplies within a radius of 12 miles of Wiley, including the right to pick up feed at Denver and points around Wiley extending south to the state line, west 50 miles, east 45 miles, and north 125 miles, for destination points within said 12-mile radius of Wiley, including also the right to transport

turkeys, live or dressed, between points within a radius of 25 miles of Wiley; provided, however, that all of said service shall be a farm service, including only transportation from farm to farm, farm to town, or town to farm, -

with the proviso, however:

"That the authority granted shall extend only for the duration of the war and six months thereafter."

On April 1, 1947, said Doney filed his application with the Commission, asking for the elimination of said proviso from his authority:

"Owing to the continued need for service and the continued shortage of equipment available in the territory" served.

Said matter, pursuant to prior setting and notice to all parties in interest, was heard in Lamar, Colorado, on December 9, 1947, and was taken under advisement.

At the hearing, it appeared that Doney's service is the only resident private carrier service operated at Wiley; that practically all the ranchers in the community have been his customers from time to time, and he has listed them with the Commission and filed memoranda of agreement; that "he is not much of a fellow to haul for people outside," and therefore has limited his service to "home folks;" that he has two trucks -- one being equipped with a 28-foot trailer, and primarily hauls livestock and feeds for the ranchers, farmers, and livestock growers and feeders in the area; that some livestock moves to pasture, and other livestock goes to markets at Denver and Lamar.

Numerous residents of the community engaged in farming and ranching, including J. C. Fossmutt, Van H. Sharp, and Edward Jaegers, testified for applicant, and urged that the residents of the area should not be deprived of readily available for-hire service and be compelled to go to Lamar, Holly, or Eads for service-- especially for movement of commodities within the area described.

Mr. Fossmutt is a feeder, and frequently requires movements of a small number of cattle, sheep, or hogs to Denver or Lamar when they are ready for slaughter; and they need prompt handling. He stated that

occasionally he buys livestock at Lamar or Denver, moves them to his feed grounds, or from the point of purchase or his feeding grounds to pasture, and return. He patronizes sales days or market days at Lamar on Thursday, and La Junta on Tuesday and Friday, and wants his stock to reach Denver on Tuesday. He stated that, unless a neighborhood service is available, he will be compelled to buy a truck; that, before the issuance of authority to Oswald, which later was acquired by Applicant Doney, he had difficulty in getting service; that, since issuance of said permit, he has not attempted to procure service from Light or Covey; that, ordinarily, when he has a shipment of livestock going to Denver or Lamar, he arranges for back-haul of feed, and, sometimes, machinery.

Mr. Sharp's feed lot is located two miles west and five miles north of Wiley. During the summer, he had fourteen hundred sheep on feed, which he "topped out when ready to go." At the time of hearing, he was feeding five hundred sheep. He stated that Light hauled 996 sheep in four trailers from Oklahoma for him during the summer; that he has no objection to using service of other carriers if it were available, but his experience has been that they are not always available when needed -- especially for handling of small shipments -- and are not particularly interested in promptly moving the seventy-five or eighty head of sheep that he sends to market in weekly or bi-weekly shipments.

Mr. Jaegers, who has a feed lot one-fourth mile south of Wiley, regularly feeds a carload or two of lambs and a carload of ewes, and from time to time ships from sixty to eighty head when ready to go to market. He stated that he also feeds a few hogs; that, when the sheep are fat, they must be moved promptly; that his experiences with trucks of Tallman and Light have been very unsatisfactory; that the drivers apparently have been inexperienced and careless -- at least the lambs and ewes have not been properly handled.

Mr. Esger, a banker at Wiley, also testified in support of the application, and stated that the Wiley-Big Bend area, which extends as far as McClave, is thickly settled and intensively farmed; that prac-

tically all the land is irrigated land, and large feed crops are produced; that cattle are fed by approximately twenty-five ranchers, and, ordinarily, move in and out in small numbers; that the congested trucking situation, which was recognized by the Commission when it issued permit to the Oswalds, has not changed; that the service then authorized was not sufficient -- or at least was not readily available -- to handle the shipping requirements of the ranchers, farmers, and feeders in said area; that the business has substantially increased, instead of decreasing; that Lamar is distant twelve miles; that Eads is thirty miles away, and can be reached only by mail or telephone, and telephone calls must pass through two or three exchanges; that Light and Covey -- especially Light -- specialize in movement of large numbers of livestock, and have large equipment which they dislike using to handle small shipments; that, also, it is not economically sound for Covey to dead-head thirty miles to Wiley to haul shipments within a radius of twelve miles of Wiley, or to Lamar, or feed from points within applicant's territory to feeders within a radius of twelve miles of Wiley.

In opposition, Mr. Covey stated that he had four semi-trailers which he uses in his operation -- two 34-foot semis, one 30-foot semi, and one 18-foot semi -- under PUC No. 890, with headquarters at Eads; that he thought he could handle the Wiley business, although he agreed that Doney's operation "doesn't affect me too much" -- "would a little," and he imagined that "it would help to build up my fleet" if he could get the business; that he ordinarily was booked up three or four days ahead, but, if he couldn't handle the business, he would contact another carrier for the customer or advise him who to get.

L. O. Light, who specializes in the movement of livestock, and operates under PUC No. 1407, with headquarters at Lamar, stated that he has eight trucks and eleven trailers, and has two 48-foot stock vans on order. He thinks he needs some small jobs to fill in, in order to keep the large trucks available for use of customers requiring such

equipment, and could handle the business at Wiley if he had some co-operation from the shippers; that some of the shippers "order a truck like you buy a cake," and, while he can give immediate service during the winter and summer months, in the spring and fall he must have two or three days' notice.

The Commission, on many occasions, has held that each community should have a readily available neighborhood service to handle the neighborhood transportation requirements. The permit originally was issued for that reason, the residents of the area, at that time, being unable to procure service. The base area was limited to a radius of twelve miles of Wiley. Apparently, the operators of the permit have justified the granting of it, because they have built up a substantial business, have satisfied a definite need in the community, and the customers want a continuation of that service, which has satisfied their requirements, and which they need. The evidence shows that the demand for transportation service has not lessened, but, on the contrary, has increased. We do not believe that the residents of the Wiley area served by Mr. Doney should be required to employ or accept the service of Light and Covey upon the basis offered, when they can get a carrier who will handle their business in the manner and as they want it handled.

However, in passing, we believe that we should direct Mr. Doney's attention to the fact that his permit is not a common carrier certificate, and that he, thereunder, does not have the right or authority to serve the public generally -- that is, anyone, indiscriminately, that desires his service. Service must be furnished upon contract. If he desires to serve as a common carrier, he should first obtain common carrier authority. Also, he should strictly confine his operations to those within the limits of his authority. He does not have the right to haul livestock to and from La Junta and to and from Pueblo, from and to points within a radius of twelve miles of Wiley. Livestock service is limited to points within a radius of twelve miles of Wiley,



which includes Lamar, and from and to Denver, to and from points in said area.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the petition should be granted.

### O R D E R

#### THE COMMISSION ORDERS:

That Decision No. 20952, of date May 25, 1943, which defines the authority to be exercised by Fred L. Doney as a private carrier under Permit No. B-2971, which he acquired from Oswald and Son, be, and the same hereby is, amended, by striking from the Order therein contained that part of the second paragraph thereof which reads as follows:

"That the authority granted shall extend only for the duration of the war and six months thereafter."

That said Decision No. 20952, in all other respects, shall remain in full force and effect.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Malcom Erickson*

*Ralph C. Hinton*  
*John B. Barry*  
Commissioners

DATED at Denver, Colorado,  
this 9th day of April, 1948.

EHC

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF  
HOWARD W. GEORGE AND PAULINE R.  
GEORGE, DOING BUSINESS AS "CHERRY  
CREEK TELEPHONE COMPANY," PARKER,  
COLORADO, FOR AUTHORITY TO TRANSFER  
CERTIFICATE GRANTED BY DECISION NO.  
26816 TO AUGUST DEEPE, DOING BUSI-  
NESS AS "CHERRY CREEK TELEPHONE  
COMPANY," PARKER, COLORADO.

APPLICATION NO. 9012-Transfer.

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April 8, 1948  
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Appearances: August Deepe, Parker, Colo-  
rado, pro se;  
C. L. Flower, Denver, Colo-  
rado, of The Public Utilities  
Commission of the State of  
Colorado, for the Commission.

**STATEMENT**

By the Commission:

On October 11, 1946, by Decision No. 26816, Howard W. George  
and Pauline R. George, doing business as "Cherry Creek Telephone Company,"  
were authorized to acquire from August Deepe his telephone exchange,  
including switchboard, lines, and building where office and switchboard  
are located, and his right to operate a telephone system as a public  
utility in the Town of Parker, Colorado, and territory adjoining, des-  
cribed as:

All of Township 6 and the North Half of Township  
7-South, Range 65-West of the Sixth Principal  
Meridian; all of Township 6-South, and Sections  
1 to 16, inclusive, in Township 7-South, Range  
66-West of the Sixth Principal Meridian; all of  
Township 6-South, except Sections 3, 4, 5, 6, 7,  
8, 9, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32,  
and 33, Range 67-West of the Sixth Principal  
Meridian,

the consideration therefor to be the sum of Ten Thousand Dollars  
(\$10,000.00), payable \$4,000.00 in cash, the balance of \$6,000.00 to be

payable in semi-annual installments of \$500.00 each, with interest at four percent per annum on unpaid principal, commencing October 29, 1946, and continuing with like installments until principal and interest were paid in full, payment of said promissory note to be secured by deed of trust.

On January 6, 1948, application was filed by said August Deepe, reciting that said Howard W. George and Pauline R. George had re-conveyed to him said property which they had acquired from him, and the certificate of public convenience and necessity granted to said Howard W. George and Pauline R. George, doing business as "Cherry Creek Telephone Company," to operate a telephone system as a public utility, and to furnish telephone service to the present and future inhabitants of the area heretofore described, and asked that the Commission approve said transaction and authorize him to exercise the authority granted to said Howard W. George and Pauline R. George by Decision No. 26816, which operating rights were predicated upon the prior operation of August Deepe and his transfer thereof to them.

The matter was publicly heard in Denver, Colorado, on February 2, 1948, pursuant to prior notice to all parties in interest, and was taken under advisement.

The Mountain States Telephone and Telegraph Company formally appeared and consented to the transfer of said certificate of public convenience and necessity, with the proviso:

"that neither the granting of its consent by The Mountain States Telephone and Telegraph Company, nor of said authority for transfer, nor shall anything herein contained be construed as permitting the said August Deepe, his heirs, administrators, executors, successors or assigns, to extend his lines or service into the territory now served by The Mountain States Telephone and Telegraph Company except the area in and about the Town of Parker, Colorado, nor shall it affect the present arrangements between the parties as to rendition of long distance service by connection with The Mountain States Telephone and Telegraph Company at the switchboard of the Applicant at Parker, Colorado, nor shall it be construed to operate as excluding the present operations of The Mountain States Telephone and Telegraph Company in said territory, or any extension of said present operations of The Mountain States Telephone and Telegraph Company into noncompetitive territory."

August Deepe, applicant, by formal stipulation, in writing, agreed that the certificate of public convenience and necessity heretofore granted should be transferred subject to said proviso and stipulation.

At the hearing, it developed that Deepe had operated said telephone system continuously from 1919 until May, 1946, and had been furnishing telephone service to the general public within the limits of the unincorporated Town of Parker, and within the territory heretofore described, without a formal certificate of public convenience and necessity, his customers numbering about eighty. The Georges purchased said system, and the property heretofore mentioned for the consideration named. They paid \$4,000.00 cash, the first payment of \$500.00, and subsequent partial payment of \$150.00. When they failed to pay Deepe, he took action to compel payment under his contract, and finally the Georges executed quit claim deed for the property, including the telephone system and operating rights, and delivered possession thereof to him. They left behind unpaid indebtedness of \$300.00 to The Mountain States Telephone and Telegraph Company, \$22.00 to Gray Bar, \$64.00 to Crown Hill Florist, and another bill in the amount of \$20.00.

When he delivered the system to them, it was in excellent operating condition. They permitted it to run down, but Applicant Deepe is willing to, and will, rehabilitate the system, and can, and will, provide good service to the customers, now numbering seventy-eight, if the Commission approves the transfer.

### FINDINGS

#### THE COMMISSION FINDS:

That the petition should be granted in the public interest, and that the transfer of the certificate of public convenience and necessity issued by Decision No. 26816 should be approved, subject to the conditions expressed in the Order following, which conditions, in the opinion of the Commission, are required in the public interest.



## ORDER

### THE COMMISSION ORDERS:

That transfer by Howard W. George and Pauline R. George, doing business as "Cherry Creek Telephone Company," to August Deepe, doing business as "Cherry Creek Telephone Company," of the certificate of public convenience and necessity granted by Decision No. 26816 to said Howard W. George and Pauline R. George, doing business as "Cherry Creek Telephone Company," and the properties used by them in conducting their telephone operations under said certificate, which theretofore were conveyed to them by said August Deepe and re-conveyed by them to said August Deepe by quit claim deed dated December 1, 1947, recorded in Book 101, Page 73, of the records in the Office of the County Clerk and Recorder in Douglas County, Colorado, on December 8, 1947, be, and the same hereby is, approved and confirmed, with the proviso that granting of certificate of public convenience and necessity aforesaid, and said transfer of said certificate and the operating rights enjoyed thereunder, shall not be construed as permitting the said August Deepe, his heirs, administrators, executors, successors or assigns to extend lines or service into the territory now served by The Mountain States Telephone and Telegraph Company, except the area in and about the Town of Parker, Colorado, nor shall it affect the present arrangements between the parties as to rendition of long-distance service by connection with The Mountain States Telephone and Telegraph Company at the switchboard of applicant at Parker, Colorado, nor shall it be construed to operate as excluding the present operations of The Mountain States Telephone and Telegraph Company in said territory, or any extension of said present operations of The Mountain States Telephone and Telegraph Company into noncompetitive territory.

That Applicant August Deepe, doing business as "Cherry Creek Telephone Company," shall file rate schedules, rules and regulations,

set up his books and accounts in agreement with the Uniform Classification of Accounts, and bring all his practices into compliance with the Commission's requirements within twenty (20) days from date, and failure of applicant to comply as above ordered shall nullify and automatically revoke at the end of said period the authorization herein granted, but subject to any further action or modification the Commission may order, but transferee, in lieu thereof, if he shall elect so to do, upon one day's notice to the public, may adopt the rate schedules, rules and regulations of transferors, upon filing his election in writing with the Commission.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Hottel

John R. Parry  
Commissioners.

Dated at Denver, Colorado,  
this 8th day of April, 1948.

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BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
GLADE H. SMITH, 2443 EAST GUNNISON, )	
COLORADO SPRINGS, COLORADO, FOR A )	
CLASS "B" PERMIT TO OPERATE AS A )	<u>APPLICATION NO. 8884-PP</u>
PRIVATE CARRIER BY MOTOR VEHICLE )	
FOR HIRE. )	<u>SUPPLEMENTAL ORDER</u>
----- )	

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April 8, 1948  
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Appearances: Glade H. Smith, Colorado Springs,  
Colorado, pro se;  
Myron H. Burnett, Esq., Denver,  
Colorado, for the Common Carrier  
Division of The Colorado Motor  
Carriers' Association;  
A. J. Fregeau, Denver, Colorado,  
for Weicker Transfer and Storage  
Company.

S T A T E M E N T

By the Commission:

On December 15, 1947, the Commission entered its Decision No. 29529, denying the application of Glade H. Smith for a permit to operate as a private carrier by motor vehicle for hire.

Thereafter, Mr. Smith filed application for rehearing, in the following language:

"I wish to make application for re-hearing on the attached amended application."

The Commission has carefully considered the record and reviewed the evidence offered at the hearing on said matter, and is of the opinion, and finds, that no error was committed.

F I N D I N G S

THE COMMISSION FINDS:

That application for rehearing should be denied.

O R D E R

THE COMMISSION ORDERS:

That application for rehearing in the above-styled matter be,  
and the same hereby is, denied.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcom Erickson

Robert C. Hinton

John R. Barry  
Commissioners.

Dated at Denver, Colorado,  
this 8th day of April, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
W. B. CROW, VERNAL, UTAH, FOR A )  
CERTIFICATE OF PUBLIC CONVENIENCE ) APPLICATION NO. 8705.  
AND NECESSITY. )  
-----)

-----  
April 8, 1948  
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Appearances: T. A. White, Esq., Denver,  
Colorado, for Larson  
Transportation Company;  
Mildred Watson, Craig, Colo-  
rado, for Watson Truck Line;  
Mack Reid, Idaho Springs, Colo-  
rado, for Comet Motor Express,  
Inc. Co.

S T A T E M E N T

By the Commission:

The above-styled matter was regularly set for hearing at  
Craig, Colorado, on October 21, 1947, at 9:30 o'clock A. M., due  
notice of the time and place of hearing being forwarded to parties  
in interest.

Notwithstanding said notice, applicant failed to appear,  
either in person or by counsel, at the time and place designated  
for hearing.

Thereupon, protestant, Larson Transportation Company, by  
its counsel, T. A. White, moved that said application be dismissed  
for lack of prosecution.

The matter was taken under advisement.

F I N D I N G S

After careful consideration of the record, the Commission is  
of the opinion, and finds, that said application should be dismissed  
for lack of prosecution.

O R D E R

THE COMMISSION ORDERS:

That the above-styled application should be, and the same hereby is, dismissed for lack of prosecution.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Malcom Erickson*

*Ralph C. Hahn*  
*John R. Barry*  
Commissioners.

Dated at Denver, Colorado,  
this 8th day of April, 1948.

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