

original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE ORIGINAL COST )  
STUDY OF COLORADO CENTRAL POWER )  
COMPANY, 3470 SOUTH BROADWAY, )  
ENGLEWOOD, COLORADO. )  
-----)

CASE NO. 4693  
SUPPLEMENTAL ORDER

-----  
October 24, 1952  
-----

Appearances: Worth Allen, Esq., Denver,  
Colorado, for Colorado  
Central Power Company;  
C. L. Flower, Denver, Colo-  
rado, and  
J. M. McNulty, Denver, Colo-  
rado, for the Commission.

S T A T E M E N T

By the Commission:

By Decisions Nos. 12481 and 12661, in Case No. 4693, this Commission adopted the Uniform System of Accounts for Electric and Gas Utilities promulgated by the National Association of Railroad and Utilities Commissioners. As a result of this adoption, the electric and gas utilities under the Commission's jurisdiction were required to determine the "Original Cost" of their properties when first devoted to public use.

The Colorado Central Power Company, in compliance with the order in Case No. 4693, submitted to the Commission the result of its study in the determination of the original cost of said company. The matter was set for hearing, and heard, by the Commission, on Friday, September 12, 1952, at 2:00 P. M., in the Commission's Hearing Room, 330 State Office Building, Denver, Colorado, and there taken under advisement.

Colorado Central Power Company is a public utility as defined in Section 3, Chapter 137, 1935 Colorado Statutes Annotated, and is engaged in the business of transmitting and distributing electricity to

various cities, towns, and communities located for the most part in Arapahoe, Douglas, Jefferson and Weld Counties, Colorado. This territory is divided into three separate geographical districts comprising three operating divisions of the company. The Fort Lupton district which lies north of Denver has a north and south sub-division which, while not inter-connected electrically, are operated from the district office at Fort Lupton. Arapahoe district, lying south of Denver, is operated out of the principal office at Englewood, while the Golden district which lies west of Denver, is operated from the district office at Golden. None of the districts is inter-connected electrically at the present time by Colorado Central owned lines, but the districts are all inter-connected electrically through the main lines of Public Service Company of Colorado. Colorado Central buys all of its electric energy requirements from Public Service Company at five metering points, one located in the Fort Lupton district, and two metering points each in the Golden and Arapahoe districts. In addition to supplying its customers at retail, Colorado Central also sells power at wholesale to Inter-Mountain Rural Electric Association and the Evergreen Public Service Company.

Colorado Central Power Company is a corporation organized under the laws of the State of Delaware on October 29, 1926. The company is authorized to do, and is doing, business in the State of Colorado, and its Articles of Incorporation, together with all amendments thereto, have heretofore been filed with the Commission in Applications Nos. 8535, 8641, and 11006. At the time of organization in 1926, Colorado Central acquired the properties of the Arapahoe Electric Light and Power Company, the Fort Lupton Light and Power Company, the Jefferson Power and Light Company, and the Municipal Properties Investment Company. These four companies were integrated into one operating company by Colorado Central, and this accounts in the main for the present geographical districts previously mentioned as being operated by the company.

The opening entries on the books of Colorado Central in 1926 were based on a reproduction cost new appraisal of the acquired companies made for Colorado Central by Day and Zimmerman, engineering firm of Philadelphia.



Since the opening entries were not based on the original cost according to the definition prescribed in the uniform system of accounts, the Company had to determine the original cost. The Company employed Prouty Brothers Engineering Company, Consulting Engineers, at Denver, Colorado, to make the study on original cost, and Prouty Brothers, after consultation with members of the Commission staff, made the study and submitted the results to Colorado Central. Since there were no books, vouchers, work orders or any other records of the predecessor companies available from which to make this study, Prouty Brothers had of necessity to make some estimates in accordance with and as provided in the uniform system of accounts.

At the hearing before the Commission, Mr. Frank Prouty, a member of the firm of Prouty Brothers, testified at some length regarding the original cost study. The Day & Zimmerman inventory as of September 30, 1926, was used to determine quantities, and these quantities, together with the necessary labor, were priced out by using costs as per the years of actual installation prior to 1926. An inspection was made of all the purchase vouchers issued by the Company from 1926 to September 1946, to determine the actual cost for all property and equipment added since 1926. Actual labor costs were added from 1926 to date as obtained from the Company records. Deductions for retirements from 1926 to September 30, 1946, were made from a study of Company records and from an inventory of the property. Construction overheads were added to arrive at the total original cost as of September 30, 1946. The final figures obtained are shown in Exhibit No. 1 as submitted at the hearing.

Exhibit No. 2 introduced at the hearing and testified to by Mr. Prouty, is an original cost estimate of only that portion of the system that was acquired by Colorado Central through the acquisition of the four original companies. This study is in reality a portion of Exhibit No. 1 made in the same manner, using the Day & Zimmerman inventory but covering only that period of time up to and including September 30, 1926, the date of acquisition by Colorado Central Power Company.

Exhibit No. 3 introduced by Colorado Central Power Company at the hearing, is an original cost study using as a basis the Prouty Brothers

original cost as given in Exhibit No. 2, with additions and retirements (net additions) as per the company books from September 30th to December 31st, 1951. Additions and retirements by the Company since 1926 have been on a cost basis. Exhibit No. 3 is reproduced below:

EXHIBIT NO. 3

COLORADO CENTRAL POWER COMPANY

STATEMENT OF PLANT ACCOUNTS AS OF DECEMBER 31, 1951 ON BASIS OF ORIGINAL COST  
(BASED ON ORIGINAL COST DETERMINATION AT SEPTEMBER 30, 1926 BY PROUTY BROS.  
WITH NET PROPERTY ADDITIONS PER BOOKS ADDED FOR THE PERIOD  
SEPTEMBER 30, 1926 TO DECEMBER 31, 1951)

	Original Cost as at September 30, 1926 per Prouty Bros.	Net Additions September 30, 1926 to December 31, 1951 Per Books	Original Cost as at Dec. 31, 1951
<u>DISTRIBUTION PLANT</u>			
350 Land and Land Rights . . . . .	\$ —	\$ 24,785.50	\$ 24,785.50
352 Station Equipment . . . . .	32,391.95	305,155.95	337,547.90
354 Poles, Towers and Fixtures . . . . .	349,479.23	1,033,097.39	1,382,576.62
355 Overhead Conductors & Devices . . . . .	242,802.71	943,152.90	1,185,955.61
358 Line Transformers . . . . .	109,390.98	798,796.71	908,187.69
359 Services . . . . .	53,771.61	254,751.84	308,523.45
360 Meters . . . . .	85,260.74	370,316.51	455,577.25
361 Installations on Customer's Premises . . . . .	—	5,828.06	5,828.06
363 Street Lighting and Signal Systems . . . . .	12,975.00	58,626.04	71,601.04
<u>GENERAL PLANT</u>			
370 Land and Land Rights . . . . .	32,000.00	17,622.89	49,622.89
371 Structures & Improvements . . . . .	49,065.00	175,345.85	224,410.85
372 Office Furniture & Equipment . . . . .	16,830.00	52,153.37	68,983.37
373 Transportation Equipment . . . . .	10,210.00	136,116.42	146,326.42
374 Stores Equipment . . . . .	—	820.28	820.28
376 Laboratory Equipment . . . . .	—	6,051.54	6,051.54
377 Tools and Equipment . . . . .	4,515.00	13,522.21	18,037.21
378 Communications Equipment . . . . .	—	34,663.57	34,663.57
390 Tangible Property Not Classified . . . . .	—	3,851.13	3,851.13
390 Overheads . . . . .	108,581.07	(63,366.64)	45,214.43
TOTAL -	\$1,107,273.29	\$4,171,291.52	\$5,278,564.81

( ) Denotes Red Figure.

A balance sheet of the company as of December 31, 1951, was introduced at the hearing by the Company as Exhibit No. 4, showing the Assets and Liabilities before and after proposed adjustment to an original cost basis as of said date, predicated on the original cost figures shown by Exhibit No. 3. The balance sheet is reproduced herein.

## EXHIBIT NO. 4

## COLORADO CENTRAL POWER COMPANY

BALANCE SHEET -- DECEMBER 31, 1951

BEFORE AND AFTER ADJUSTMENT TO AN ORIGINAL COST BASIS

ASSETS	Per Books	Adjustments		Original Cost Basis
		Debit	Credit	
CAPITAL ASSETS:				
Utility Plant (See Exhibit No. attached) . . . . .	\$5,421,376.52	\$	\$142,811.71	\$5,278,564.81
Utility Plant Acquisition Adj. . . . .		142,811.71		142,811.71
TOTAL CAPITAL ASSETS -	\$5,421,376.52	\$142,811.71	\$142,811.71	\$5,421,376.52
CURRENT ASSETS:				
Cash-Including Working Funds	\$ 427,693.88			\$ 427,693.88
Temporary Cash Investments-				
U. S. Securities . . . . .	749,931.43			749,931.43
Special Deposits with				
Trustee-Cash . . . . .	8,404.00			8,404.00
Notes Receivable . . . . .	4,000.00			4,000.00
Accounts Receivable . . . . .	232,089.73			232,089.73
Materials & Supplies (at average cost) . . . . .	234,310.07			234,310.07
Prepayments . . . . .	23,872.54			23,872.54
TOTAL CURRENT ASSETS -	\$1,680,301.65			\$1,680,301.65
DEFERRED DEBITS:				
Unamortized Debt Disc. & Exp. \$	97,340.62			\$ 97,340.62
CAPITAL STOCK EXPENSE -	99,894.64			99,894.64
TOTAL ASSETS -	\$7,298,913.43	\$142,811.71	\$142,811.71	\$7,298,913.43
LIABILITIES, CAPITAL & SURPLUS				
LONG TERM DEBT:				
1st Mtge. 2-7/8% Bonds, Series B, due Aug. 1, 1976 . . . . .	\$1,300,000.00			\$1,300,000.00
1st Mtge. 3-3/8% Bonds, Series C, due Aug. 1, 1976 . . . . .	600,000.00			600,000.00
Sinking Fund Debentures 3-7/8% due Nov. 1, 1963 . . . . .	555,000.00			555,000.00
Sinking Fund Debentures 4%, due Nov. 1, 1963 . . . . .	750,000.00			750,000.00
TOTAL LONG TERM DEBT -	\$3,205,000.00			\$3,205,000.00
CURRENT AND ACCRUED LIABILITIES:				
Accounts Payable . . . . .	\$ 124,760.00			\$ 124,760.00
Consumers' Deposits-Refundable	64,819.67			64,819.67
Accrued Items:				
Interest on Long Term Debt	32,594.79			32,594.79
Miscellaneous Interest . . . . .	17,745.86			17,745.86
Taxes - Fed. State & Local . . . . .	335,688.08			335,688.08
Other Accrued Items . . . . .	82,524.87			82,524.87
TOTAL CURRENT & ACCRUED LIAB.	\$658,133.27			\$658,133.27
DEFERRED CREDITS:				
Unamortized Premium on Debt . . . . .	\$ 4,507.75			\$ 4,507.75
Customers' Advances for Constr. . . . .	13,058.05			13,058.05
TOTAL DEFERRED CREDITS . . . . .	\$ 17,565.80			17,565.80
RESERVES:				
Renewals, Replacements & Retire. . . . .	925,030.68			925,030.68
Uncollectible Accts. . . . .	24,046.51			24,046.51
Other Reserves . . . . .	37,500.00			37,500.00
TOTAL RESERVES -	\$986,577.19			\$986,577.19
CONTRIBUTIONS IN AID OF CONSTR. . . . .	80,414.71			80,414.71
CAPITAL STOCK AND SURPLUS:				
Common Stock, \$5 par Value				
Authorized - 500,000 shares				
Outstanding 12-31-51 190,250 sh.	951,250.00			951,250.00
Premium on Common Stock . . . . .	842,691.00			842,691.00
Capital Surplus . . . . .	85,635.71			85,635.71
Earned Surplus . . . . .	471,645.75			471,645.75
TOTAL CAP. STOCK & SURPLUS	\$2,351,222.46			\$2,351,222.46
TOTAL LIAB. & CAPITAL -	\$7,298,913.43			\$7,298,913.43



The difference between the original cost and the company books is set out in the above balance sheet in the Utility Plant Acquisition Account in the amount of \$142,811.71.

Exhibit No. 5 introduced at the hearing also reproduced herein is a statement of the Plant Accounts as of December 31, 1951, showing in detail the proposed adjustments to reflect the original cost at said date, all in accordance with the original cost study as shown by Exhibit No. 3.

EXHIBIT NO. 5

COLORADO CENTRAL POWER COMPANY

STATEMENT OF PLANT ACCOUNTS AS PER BOOKS AND ON BASIS OF ORIGINAL COST, AT DECEMBER 31, 1951 AND AMOUNTS NECESSARY TO ADJUST BOOKS TO ORIGINAL COST AS OF THAT DATE

		Adjustments to		Original Cost
		Arrive at Orig. Cost		as at
	<u>Per Books</u>	<u>December 31, 1951</u>		<u>December 31, 1951</u>
	<u>December 31, 1951</u>	<u>Debit</u>	<u>Credit</u>	
<u>DISTRIBUTION PLANT</u>				
350	Land and Land Rights . . .	\$ 24,785.50	\$ —	\$ 24,785.50
352	Station Equipment . . . .	338,960.95	1,413.05	337,547.90
354	Poles, Towers & Fixtures	1,442,620.39	60,043.77	1,382,576.62
355	Overhead Conductors and Devices . . . . .	1,142,086.90	43,868.71	1,185,955.61
358	Line Transformers . . . .	912,959.71	4,772.02	908,187.69
359	Services . . . . .	307,885.84	637.61	308,523.45
360	Meters . . . . .	456,299.51	722.26	455,577.25
361	Installations on Customer's Premises . . .	5,828.06	—	5,828.06
363	Street Lighting and Signal Systems . . . . .	71,601.04	—	71,601.04
<u>GENERAL PLANT</u>				
370	Land and Land Rights . .	49,622.89	—	49,622.89
371	Structures & Improvements	224,410.85	—	224,410.85
372	Office Furn. & Equipment	68,983.37	—	68,983.37
373	Transportation Equipment .	146,326.42	—	146,326.42
374	Stores Equipment . . . .	820.28	—	820.28
376	Laboratory Equipment . .	6,051.54	—	6,051.54
377	Tools and Work Equipment .	18,037.21	—	18,037.21
378	Communication Equipment .	34,663.57	—	34,663.57
390	Tangible Property Not Classified . . . . .	3,851.13	—	3,851.13
390	Overheads . . . . .	165,581.36	120,366.93	45,214.43
TOTAL -		\$5,421,376.52	\$44,506.32 \$187,318.03	\$5,278,564.81

The staff of the Commission has checked the figures that the company has used in arriving at the original cost as of December 31, 1951 as shown in Exhibit No. 3, and have found them to be correct.

The Company at the hearing requested the approval of the Commission of its original cost figures as given by said Exhibit No. 3 as of December 31, 1951, and also requested the approval of a plan for the disposition of the amount of \$142,811.71 as shown in the Utility Plant Acquisition Adjustment Account 100.5. The Company plan is to amortize the amount of \$142,811.71 over a period of twenty years by equal monthly charges to Account 270 capital surplus, until that account which amounted to \$85,635.71 as of December 31, 1951 is completely utilized and thereafter to amortize the balance remaining by equal monthly charges to Account 271 Earned Surplus. The proposed amortization period would become effective as of January 1, 1952, and the Company would therefor on December 31, 1952 amortize one full year in the amount of \$7,140.59.

The Colorado Central Power Company having complied with the Commission's Orders in Case No. 4693 by submitting its original cost study and this cost study having been duly checked and verified, we believe we should approve the figures submitted and should also approve the plan of the Company as to the disposition of the amount in the Utility Plant Acquisition Adjustment Account 100.5.

### FINDINGS

#### THE COMMISSION FINDS:

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

That this Commission has jurisdiction over said company and of the subject matter herein.

That the Commission is fully advised in the premises.

That the above Statement should be made a part hereof, by reference.

That the original cost of the electric property as submitted by the Company and as more fully shown on Exhibits Nos. 3 and 5 should be approved, and the amounts set forth in said Exhibits should be set up on the Company's books as of January 1, 1952.

That the Utility Acquisition Adjustment Account in the amount of \$148,811.71 should be disposed of according to the Company plan, as outlined in the preceding Statement.

ORDER

THE COMMISSION ORDERS:

That the Colorado Central Power Company be, and is hereby, authorized to set up on its books as of December 31, 1951, the original cost as shown on Exhibits Nos. 3 and 5, said Exhibits, by reference, being made a part hereof.

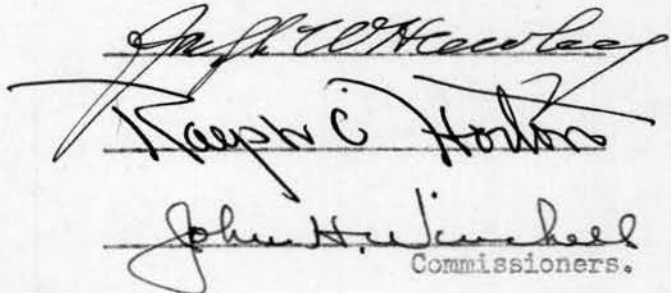
That the Colorado Central Power Company be, and it is hereby, authorized to amortize the amount of \$142,811.71 over a period of twenty years by equal monthly charges to Account 270 Capital Surplus, until that account which amounted to \$85,635.71 as of December 31, 1951 is completely utilized, and thereafter to amortize the balance remaining by equal monthly charges to Account 271 Earned Surplus.

That the amortization period shall start with and become effective as of January 1, 1952.

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

That this order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 24th day of October, 1952.

ea



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 TO INSTALL IMPROVED )  
AUTOMATIC SIGNAL CROSSING PROTECTION )  
DEVICES AT FOUNTAIN STREET, BOULDER )  
STREET, EL PASO AT ST. VRAIN, WILLAM- )  
ETTE AVENUE, EL PASO AT SAN RAFAEL )  
STREET, UINTAH STREET, SAN MIGUEL )  
STREET, CORONA STREET, WAHSATCH )  
AVENUE, COLUMBIA STREET, CARAMILLO )  
STREET, FONTANERO STREET AND ROYER )  
STREET IN COLORADO SPRINGS, EL PASO )  
COUNTY, COLORADO. )  
----- )

APPLICATION NO. 12048

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October 24, 1952  
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Appearances: Douglas McHendrie, Esq.,  
Denver, Colorado, for  
applicant;  
J. L. McNeill, Denver,  
Colorado, for the  
Commission.

S T A T E M E N T

By the Commission:

On September 30, 1952, The Atchison, Topeka and Santa Fe  
Railway Company, by its attorneys, Grant, Shafroth and Toll, filed an  
application with this Commission seeking authority to install improved  
automatic signal protection devices at the various crossings of its  
tracks and the following streets in Colorado Springs, El Paso County,  
Colorado, namely: Royer Street, Fountain Street, Boulder Street, El  
Paso at St. Vrain, Willamette Avenue, El Paso at San Rafael Street,  
Uintah Street, San Miguel Street, Corona Street, Wahsatch Avenue,  
Columbia Street, Caramillo Street and Fontanero Street.

The matter, after due notice, was set for hearing on Thursday,  
October 9, 1952, at two o'clock P. M., in the Commission's Hearing Room,  
330 State Office Building, Denver, Colorado, and was there heard by the  
Commission and taken under advisement.

The purpose of the instant application is to provide improved automatic signals at the above crossings. At the hearing, Mr. McHendrie asked that the Commission direct its attention to an amendment filed on October 8, 1952, wherein paragraph 5 of the original application was corrected to show the estimated cost of all the proposed installations as being \$45,696.00, and that the City of Colorado Springs and the Railroad Company have agreed that each will pay one-half of the total cost. Whereupon, the application was so amended.

The following exhibits were submitted, with further explanations being given by Mr. H. A. Appleby, Amarillo, Texas, Signal Engineer for the Santa Fe Western Lines:

Exhibit A: Map showing location of the crossings in the City of Colorado Springs.

Exhibits B-1 to B-13, inclusive: Map prints to show location of present and proposed signal devices at each of the crossings.

Exhibit C: Statement to show average number of vehicles passing over the separate crossings in a 24-hour period.

Exhibits D-1 to D-7, inclusive: Signal department prints to show warning of trains from either direction.

Exhibit E: Letter of the City Manager of Colorado Springs to show approval of the proposed signal installation.

Exhibit F: Copy of Association of American Railroads Signal Section, Drawing No. 1654F to show type of signal to be installed.

Exhibit G: Signal department print to show flashing light signals and special overhead signals as proposed at Fontanero Street.

It appears that the trackage involved in this application consists of a single main-line at all the crossings except Fountain Street where there are two tracks. This main line is owned by The Atchison, Topeka and Santa Fe Railway Company and is used in connection with the northbound rail movements of its trains. By joint agreements, similar train movements over the same line are also made by the Colorado and Southern Railway Company, The Denver and Rio Grande Western Railroad Company,

and the Missouri Pacific Railroad Company. Average daily rail traffic over these crossings consists of 3 passenger trains and 14 freight trains, with occasional switching movements. Speeds are variable and average 18 miles per hour.

As shown in Exhibit "C", the vehicular usage is variable, ranging from 258 vehicles on Royer Street to 3703 vehicles per day on Fontanero Street.

In his explanation of the situation at each of these crossings, Mr. Appleby pointed out that the present signal devices were out-moded and did not present a sufficient degree of warning. At Royer Street, the present protection consists of a single crossbuck sign. The other crossings have a bell in connection with either a crossbuck sign or a single wig-wag signal unit.

Mr. Appleby emphasized that each crossing had been studied to determine the best installation to provide the greatest protection. As minimum protection, one double flasher signal of the type shown in Exhibit "F" will be placed on each side of the rail line and so located behind the street curb lines to be readily visible. To meet a special situation at the intersection of El Paso at San Rafael, a third signal will be placed north of the tracks and on the south side of San Rafael Street to provide extra protection for the bicycle and pedestrian traffic at this location. Also, an extra pair of lights will be placed on 5 other signals to provide warning for traffic on intersecting streets. Again, on Fontanero Street -- which is the most heavily travelled -- two extra pairs of overhead flashing lights will be placed as shown in Exhibit "G".

Other testimony of Mr. Appleby was to the effect that a signal crew was now available to make the proposed installations; also, that it would be advantageous to get the necessary concrete piers placed and other underground work completed before the bad weather of winter.

An investigation of the proposed work and all the crossings was made by a member of the Commission's Engineering Staff, who reported that the proposed signals are quite appropriate and will certainly add to the safety of all the crossings. The proposed work will conform with Commission specifications and with the standards of the Association of American



Railroads Joint Committee on Grade Crossing Protection. Adequate warning will be provided for movement in either direction along the main-line and both tracks at Fountain Street will be protected. After installation, the new signals will be maintained by the Railroad Company.

It appears that no public utilities or adjacent property owners will be adversely affected by the proposed signal installations. Also, the files of the Commission indicate no protests to the proposed signals. No delay is anticipated in securing materials for the proposed installations and some preliminary work is now in progress.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the public safety, convenience and necessity require the improvement of existing grade crossing protection by and through the installation, operation and maintenance of automatic flashing light signals at all of the above-mentioned street crossings in Colorado Springs, El Paso County, Colorado.

### O R D E R

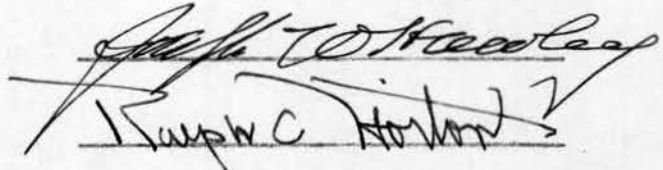

#### THE COMMISSION ORDERS:

That applicant, The Atchison, Topeka and Santa Fe Railway Company, be, and it hereby is, granted a certificate of public convenience and necessity, authorizing the removal of existing signal devices and the subsequent installation, operation and maintenance of automatic flashing light signals at the following street-grade crossings in Colorado Springs, El Paso County, Colorado, namely: Royer Street, Fountain Street, Boulder Street, El Paso at St. Vrain, Willamette Avenue, El Paso at San Rafael Street, Uintah Street, San Miguel Street, Corona Street, Wahsatch Avenue, Columbia Street, Caramillo Street and Fontanero Street.

That the work to be done, installation and maintenance of the proposed automatic flashing light signals, shall be as indicated in the preceding Statement, said Statement, and Exhibits "A", "B-1 to B-13" inclusive, "C", "D-1 to D-7" inclusive, "E", "F" and "G", all, by reference, being made a part hereof.

That this order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Ralph C. Horton  
  
John H. Hinchell  
Commissioners.

Dated at Denver, Colorado,  
this 24th day of October, 1952.

ea

(Decision No. 39557)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF	)	
ATTEBERY TRUCK LINE, AKRON, COLO-	)	CASE NO. 21-AR
RADO.	)	(PUC NOS. 458 and 1422)
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October 24, 1952  
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S T A T E M E N T

By the Commission:

On September 26, 1952, in Case No. 21-AR, the Commission entered an order revoking certificates of public convenience and necessity, PUC Nos. 458 and 1422, effective five days from date of said order, for failure of respondent to file 1951 Annual Reports. The annual reports for 1951 have now been filed by respondent, and request has been made that said certificates be reinstated.

F I N D I N G S

After careful consideration of the record and the request, the Commission is of the opinion, and finds, that our revocation order entered in Case No. 21-AR should be cancelled and set aside, and certificates of public convenience and necessity, PUC Nos. 458 and 1422, restored to their former status.

O R D E R


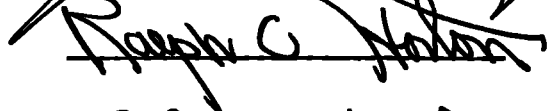

THE COMMISSION ORDERS:

That revocation order entered September 26, 1952, in Case No. 21-AR, should be, and it hereby is, cancelled and set aside,



and said certificates, PUC Nos. 458 and 1422, restored to their former status as of September 26, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 24th day of October, 1952

jh

(Decision No. 39558)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF	)	
FINNEY SIGHTSEEING COMPANY, 942	)	CASE NO. 3-AR
SOUTH CONEJOS STREET, COLORADO	)	(PUC NOS. 123 and 164)
SPRINGS, COLORADO.	)	
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October 24, 1952  
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S T A T E M E N T

By the Commission:

On September 26, 1952, in Case No. 3-AR, the Commission entered an order revoking certificates of public convenience and necessity, PUC Nos. 123 and 164, effective five days from date of said order, for failure of respondent to file 1951 annual reports. Annual reports for 1951 have now been filed by respondent, and request has been made that said certificates be reinstated.

F I N D I N G S

After careful consideration of the record and the request, the Commission is of the opinion, and finds, that our revocation order entered in Case No. 3-AR should be cancelled and set aside, and certificates of public convenience and necessity, PUC Nos. 123 and 164, restored to their former status.


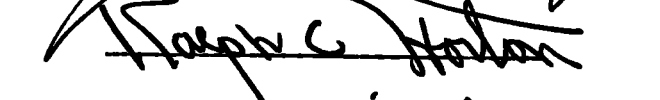
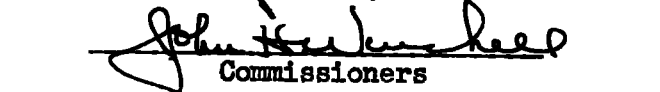
O R D E R

THE COMMISSION ORDERS:

That revocation order entered September 26, 1952, in Case No. 3-AR, should be, and it hereby is, cancelled and set aside,

and said certificates, PUC Nos. 123 and 164, restored to their former status as of September 26, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 24th day of October, 1952

(Decision No. 39559)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF )  
L. O. LIGHT & SONS, BOX 740, LAMAR ) CASE NO. 69-AR  
COLORADO. ) (PUC NOS. 1178 and 1407)  
-----

-----  
October 24, 1952  
-----

S T A T E M E N T

By the Commission:

On September 26, 1952, in Case No. 69-AR, the Commission entered an order revoking certificates of public convenience and necessity, PUC Nos. 1178 and 1407, effective five days from date of said order, for failure to file 1951 Annual Reports. Said annual reports have now been filed by respondent, and request has been made that certificates Nos. 1178 and 1407 be reinstated.

F I N D I N G S

After careful consideration of the record and the request, the Commission is of the opinion, and finds, that our revocation order entered in Case No. 69-AR should be cancelled and set aside, and certificates of public convenience and necessity, PUC Nos. 1178 and 1407, restored to their former status.

O R D E R


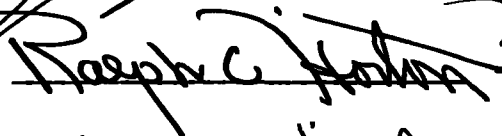
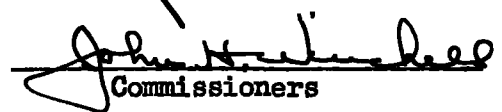
THE COMMISSION ORDERS:

That revocation order entered September 26, 1952, in Case No. 69-AR, should be, and it hereby is, cancelled and set aside,



and said certificates, PUC Nos. 1178 and 1407, restored to their former status as of September 26, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 24th day of October, 1952

jh

(Decision No. 39560)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
M. K. McELFRESH, KANORADO, KANSAS ) CASE NO. 51-AR  
----- ) (PUC NOS. 912 and 1392-I)

-----  
October 24, 1952  
-----

S T A T E M E N T

By the Commission:

On September 26, 1952, in Case No. 51-AR, the Commission entered an order revoking certificates of public convenience and necessity, PUC Nos. 912 and 1392-I, effective five days from date of said order, for failure to file 1951 Annual Reports. Said annual reports have now been filed by respondent, and request has been made that certificates Nos. 912 and 1392-I be reinstated.

F I N D I N G S

After careful consideration of the record and the request, the Commission is of the opinion, and finds, that our revocation order entered in Case No. 51-AR should be cancelled and set aside, and certificates of public convenience and necessity, PUC Nos. 912 and 1392-I, restored to their former status.


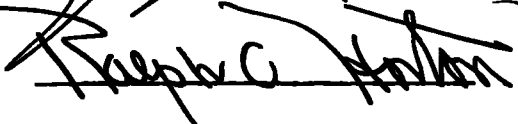

O R D E R

THE COMMISSION ORDERS:

That revocation order entered September 26, 1952, in Case No. 51-AR, should be, and it hereby is, cancelled and set aside,

and said certificates, PUC Nos. 912 and 1392-I, restored to their former status as of September 26, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 24th day of October, 1952.

jh

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF	)	
THERO HARPER, DOING BUSINESS AS	)	CASE NO. 816-R
THERO PRODUCE, 223 SOUTH CASCADE,	)	(PERMIT NO. C-24612)
COLORADO SPRINGS, COLORADO.	)	

-----

-----  
October 24, 1952  
-----

S T A T E M E N T

By the Commission:

On July 17, 1952, in Case No. 816-R, the Commission entered an order revoking Permit No. C-24612 for failure of the respondent to file monthly ton-mile tax reports for the period April 1, 1951, to May 31, 1952, said revocation to become effective five days from date of said order.

Within the five-day grace period, respondent filed delinquent reports for the period indicated, and requested the Commission to reinstate said permit.

F I N D I N G S

After careful consideration of the record and the request, the Commission is of the opinion, and finds, that our revocation order entered in Case No. 816-R should be cancelled and set aside, and said Permit No. C-24612 restored to its former status.

O R D E R

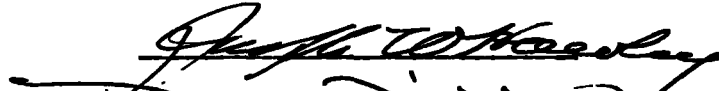
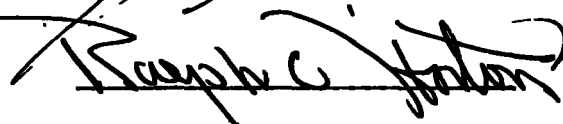

THE COMMISSION ORDERS:

That revocation order entered July 17, 1952, in Case No. 816-R, should be, and it hereby is, cancelled and set aside, and



said Permit No. C-24612 restored to its former status as of July  
17, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 24th day of October, 1952.

jh

(Decision No. 39562)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
FREEMAN SOUTH, LA JUNTA, COLORADO ) CASE NO. 243-AR  
----- ) (PUC NO. 2327-I)

-----  
October 24, 1952  
-----

STATEMENT

By the Commission

On September 26, 1952, in Case No. 243-AR, the Commission entered an order revoking certificate of public convenience and necessity, PUC No. 2327-I, effective five days from date of said order, for failure to file 1951 Annual Report. The annual report for 1951 has now been filed by respondent, and request has been made that said certificate be reinstated.

FINDINGS

After careful consideration of the record and the request, the Commission is of the opinion, and finds, that our revocation order entered in Case No. 243-AR should be cancelled and set aside, and certificate of public convenience and necessity, PUC No. 2327-I, restored to its former status.

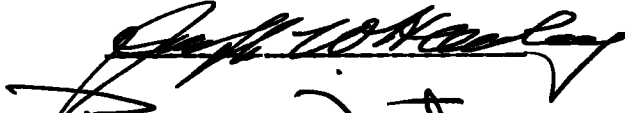
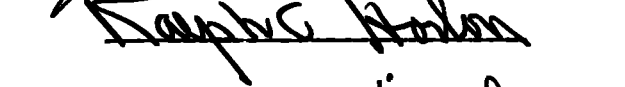

ORDER

THE COMMISSION ORDERS:

That revocation order entered September 26, 1952, in Case No. 243-AR, should be, and it hereby is, cancelled and set aside, and

said certificate, PUC No. 2327-I, restored to its former status as  
of September 26, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 24th day of October, 1952

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
N. S. DICKSON AND ROBERT A. AXTELL, )  
PLEASANT VIEW, COLORADO, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
----- )

APPLICATION NO. 11995-PP  
SUPPLEMENTAL ORDER

-----  
October 24, 1952  
-----

Appearances: Robert A. Axtell, Pleasant  
View, Colorado, for  
applicants;  
T. L. Brooks, Esq., Montrose,  
Colorado, for San Juan  
Truck Line.

S T A T E M E N T

By the Commission:

On October 22, 1952, by Decision No. 39533, N. S. Dickson and Robert A. Axtell, a co-partnership, were authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of:

"ores and concentrates between points within a radius of 25 miles of Lake City, Colorado, for the D. & M. Company, only, operating within said 25-mile radius."

It was the intention of the Commission to include in the territory the right to haul ores and concentrates from said 25-mile radius to the smelter at Leadville, Colorado, or to the rail-head at Montrose, Colorado.

F I N D I N G S

THE COMMISSION FINDS:

That Decision No. 39533, of date October 22, 1952, should be amended, as provided in the Order following.



O R D E R

THE COMMISSION ORDERS:

That Decision No. 39533, of date October 22, 1952, should be, and the same is hereby, amended nunc pro tunc as of said October 22, 1952, by adding to the end of the first paragraph of the Order in said decision at the bottom of page 2, the following words and figures:

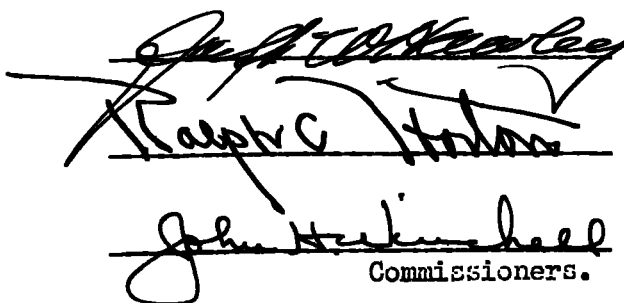
"and from said 25-mile radius to the smelter at Leadville, Colorado, or to the rail-head at Montrose, Colorado"

so that the first paragraph of said Order, as amended, shall read:

"That N. S. Dickson and Robert A. Axtell, a co-partnership, of Lake City, Colorado, be, and they hereby are, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of ores and concentrates between points within a radius of 25 miles of Lake City, Colorado, for the D. & M. Company, only, operating within said 25-mile radius, and from said 25-mile radius to the smelter at Leadville, Colorado, or to the rail-head at Montrose, Colorado."

That, except as herein amended, said Decision No. 39533 shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 24th day of October, 1952.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
CLEO L. STARKS AND MYRTLE B. STARKS, )  
CO-PARTNERS, DOING BUSINESS AS )  
"STARKS MOTOR TOURS," 3440 WEST )  
COLORADO AVENUE, COLORADO SPRINGS, )  
COLORADO, FOR AUTHORITY TO TRANSFER )  
AUTHORITY TO OPERATE TWO CARS FROM )  
PUC NO. 101 TO MARIE C. HORTON, DO- )  
ING BUSINESS AS "NEVADA TOURS," 1006 )  
SOUTH NEVADA AVENUE, COLORADO )  
SPRINGS, COLORADO. )  
-----

APPLICATION NO. 11915-Transfer

IN THE MATTER OF THE APPLICATION OF )  
CLEO L. STARKS AND MYRTLE B. STARKS, )  
CO-PARTNERS, DOING BUSINESS AS )  
"STARKS MOTOR TOURS," 3440 WEST )  
COLORADO AVENUE, COLORADO SPRINGS, )  
COLORADO, FOR AUTHORITY TO TRANSFER )  
AUTHORITY TO OPERATE TWO CARS FROM )  
PUC NO. 101 TO MARY E. MOUNTAIN AND )  
MICHAEL E. RANDOLPH, CO-PARTNERS, )  
DOING BUSINESS AS "MOUNTAIN SCENIC )  
TOURS," 3210 WEST PIKES PEAK AVENUE, )  
COLORADO SPRINGS, COLORADO. )  
-----

APPLICATION NO. 11916-Transfer

-----  
October 24, 1952.  
-----

SUPPLEMENTAL ORDER

Appearances: Marlon F. Jones, Esq., Denver,  
Colorado, for applicants;  
John R. Barry, Esq., Denver,  
Colorado, for Colorado  
Springs Sightseeing Com-  
pany, et al;  
John A. Love, Esq., Colorado  
Springs, Colorado, for  
Pikes Peak Automobile  
Company;  
Horan and Anderson, Esqs.,  
Colorado Springs, Colo-  
rado, for Colorado Springs  
Transit Company.

S T A T E M E N T

By the Commission:

By Decision No. 39356, of date September 24, 1952, as amended by Decision No. 39373, of date September 25, 1952, the Commission authorized Cleo L. Starks and Myrtle B. Starks, co-partners, doing business as "Starks Motor Tours," Colorado Springs, Colorado, to transfer to Marie G. Horton, doing business as "Nevada Tours," Colorado Springs, Colorado, from their authority under PUC No. 101, the authority to use and operate six automobiles -- two from Colorado Springs, two from Manitou, Colorado, and two from Rodeo Camp Ground, Colorado Springs, Colorado -- in the transportation of passengers to the various scenic attractions in the Pikes Peak Region, and to transfer to Mary E. Mountain and Michael E. Randolph, co-partners, doing business as "Mountain Scenic Tours," Colorado Springs, Colorado, from their authority under PUC No. 101, the authority to use and operate two automobiles -- one from Colorado Springs and one from Manitou, Colorado -- in similar transportation service, with auto livery service also being authorized to be transferred.

It has been called to the attention of the Commission that the only issue at the hearing on the applications involved as to seating capacity of the cars to be transferred was raised by a request to authorize the transfer to Horton of the use of two cars not limited by the record as to seating capacity. No evidence was given as to any limitation as to seating capacity in the use of any other cars to be transferred.

F I N D I N G S

THE COMMISSION FINDS:

That any reference in Decision No. 39356 to the seating capacity of any cars authorized to be transferred, other than the seating capacity of the two cars to be transferred to Horton, with unlimited seating capacity, should be eliminated from said decision.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 39356, of date September 24, 1952, should be, and the same is hereby, amended, nunc pro tunc, as of said 24th day of

September, 1952, by striking therefrom the clause:

"All other cars are limited to five passengers."

appearing in the fourth and fifth lines of the fourth paragraph on Page 6 of said decision.

That said Decision No. 39356, except as herein amended, and except as amended by Decision No. 39373, shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

~~Ralph C. Foster~~  
~~Ralph C. Foster~~  
~~John H. Linschell~~  
Commissioners

Dated at Denver, Colorado,  
this 24th day of October, 1952.

mw

(SEAL)



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
BENJAMIN E. SWEET, TRUSTEE, AND )  
E. M. STAGE, DOING BUSINESS AS "BOB )  
STAGE TRANSPORTATION COMPANY," )  
MAJESTIC BUILDING, DENVER, COLORADO, )  
TO LEASE PUC NO. 287 TO HOLLIS E. )  
ROACH AND DUANE D. ZABKA, CO- )  
PARTNERS, DOING BUSINESS AS "EVER- )  
GREEN FREIGHT LINE," EVERGREEN, )  
COLORADO. )  
-----

APPLICATION NO. 11986-Transfer  
of Lease

-----  
October 27, 1952.  
-----

Appearances: Benjamin E. Sweet, Esq.,  
Denver, Colorado,  
Trustee, pro se;  
Francis Mancini, Esq.,  
Denver, Colorado,  
for Transferees;  
A. J. Fregeau, Denver,  
Colorado, for Weicker  
Transfer and Storage  
Company;  
E. M. Stage, Denver, Colo-  
rado, pro se;  
C. A. Baumgartner, Denver,  
Colorado, pro se.

S T A T E M E N T

By the Commission:

By Application No. 11986, filed July 8, 1952, E. M. Stage and  
C. A. Baumgartner, lessees, seek to transfer their lease and option to  
purchase PUC No. 287 from Benjamin E. Sweet, Trustee, to Hollis E.  
Roach and Duane D. Zabka, co-partners, doing business as "Evergreen  
Freight Line," Evergreen, Colorado.

After due notice to all parties in interest, the matter was  
set for hearing, and heard, at the Hearing Room of the Commission, 330  
State Office Building, Denver, Colorado, October 2, 1952, at ten o'clock  
A. M., and there taken under advisement.

At the hearing, C. A. Baumgartner, Lakewood, Colorado, testified that he entered into a co-partnership with E. M. Stage, and did business under the name of "Denver Transfer and Cartage Company," in 1951; that they operated under PUC No. 287 to Evergreen under a lease and option arrangement from Benjamin E. Sweet, Trustee, which lease had been given by the Trustee to Stage prior to the formation of the partnership; that on approximately June 1, 1952, he purchased Stage's interest in the partnership, with all rights to the lease and option on PUC No. 287; that on July 10, 1952, by contract, which was identified and introduced as "Exhibit No. 1," Stage and Baumgartner transferred all of their right, title, and interest in and to the lease and option agreement with Benjamin E. Sweet, Trustee, to PUC No. 287, for the consideration of \$1200.00 -- \$100.00 of which was paid at the time of the signing of the agreement, and the \$1100.00 balance has since been paid by Roach and Zabka to C. A. Baumgartner; that the transferees, by the agreement, assumed all of the obligations to pay the balance of the \$4,000.00 purchase price, the balance at the time of sale being \$3,468.63; that Stage and Baumgartner, by this contract, agreed to deliver a bill of sale, free and clear of all liens and encumbrances, except the leasing agreement hereinabove referred to; that all of the \$1200.00 was now on deposit in the Central Bank and Trust Company of Denver; that he had been informed by the staff members of The Public Utilities Commission that the money should be held in trust until the transfer was approved by the Commission; that the only indebtedness now outstanding against the operation was the sum of \$110.60 due the Deep Rock Water Company, of Denver, which sum he agreed to pay.

E. M. Stage, Denver, Colorado, testified, corroborating Baumgartner's previous testimony that he had been the original lessee under the lease from Trustee Sweet of PUC No. 287; that he and Baumgartner had formed a co-partnership, to which his interest in the lease had been transferred in 1951, and operated the same under the trade name of "Denver Transfer and Cartage Company" until June 1, 1952, when he sold his interest in the partnership, including all rights to the lease and option of PUC No. 287, to said Baumgartner, Baumgartner assuming all liabilities;

that he received none of the \$1200.00 paid by Roach and Zabka, and had no interest in the proceeds of the sale now on deposit at the Central Bank and Trust Company of Denver.

Baumgartner and Stage agreed to file a late-filed exhibit, showing the accounts receivable and accounts payable as a result of their operation of PUC No. 287.

By Decision No. 37037, of date July 10, 1951, the Commission clarified PUC No. 1993, owned and operated by E. M. Stage, doing business as "Bob Stage Transportation Company," and authorized E. M. Stage to transfer all of his right, title, and interest in and to PUC No. 1993 to Benjamin E. Sweet, as Trustee, subject to the payment of outstanding indebtedness against said operation. In the same decision, the Commission also consolidated all of the operating rights under it with PUC No. 287, giving the consolidated operation the number "PUC No. 287." The Commission also approved the operating agreement, which is the lease and option from Sweet, as Trustee, to E. M. Stage, which is now being transferred.

The records of the Commission show no further action as to the transfer or assignment of said lease and option.

Benjamin E. Sweet, Trustee, made a statement for the benefit of the Commission, which makes it obvious to the Commission that Mr. Sweet acted in good faith in approving the assignment of the lease and option from Stage to the partnership of Baumgartner and Stage, and from the partnership of Baumgartner and Stage to Baumgartner, under the belief that both of these assignments were approved by the Commission.

It is apparent to the Commission that in order to clarify the situation, approval should be given to the two previous transfers.

The operating experience and financial responsibility of Transferees Roach and Zabka were fully established to the satisfaction of the Commission.

It does not appear to the Commission that the rights of any other carrier would be impaired by the approval of this transfer, and the operation of the authority by Roach and Zabka.



## FINDINGS

### THE COMMISSION FINDS:

That the transfer of the lease and option of PUC No. 287 from Benjamin E. Sweet, Trustee, to E. M. (Bob) Stage, doing business as "Bob Stage Transportation Company," to a co-partnership of E. M. Stage and C. A. Baumgartners, doing business as "Denver Transfer and Cartage Company," in October, 1951, should be approved.

That the transfer of the above-described lease and option from the co-partnership of C. A. Baumgartner and E. M. Stage, doing business as "Denver Transfer and Cartage Company," to C. A. Baumgartners, an individual, doing business as "Denver Transfer and Cartage Company," should be approved.

That the transfer of the lease and option by C. A. Baumgartner to Hollis E. Roach and Duane D. Zabka, co-partners, doing business as "Evergreen Freight Line," Evergreen, Colorado, should be approved.

## ORDER

### THE COMMISSION ORDERS:

That the following transfers of the lease and option to purchase PUC No. 287, given by Benjamin E. Sweet, Trustee, to E. M. Stage, and previously approved by the Commission, be, and the same hereby are, approved:

1. From E. M. Stage to the co-partnership of E. M. Stage and C. A. Baumgartner.
2. From the co-partnership of E. M. Stage and C. A. Baumgartner, to C. A. Baumgartner, an individual.
3. From C. A. Baumgartner, an individual, to Hollis E. Roach and Duane D. Zabka, co-partners, doing business as "Evergreen Freight Line," Evergreen, Colorado, subject to the payment of outstanding indebtedness against said operation, whether secured or unsecured.

That said <sup>transfer of</sup> lease shall become effective only if and when, but not before, said lessor and lessees, in writing, have advised the Commission that said certificate has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order, to be by them, or either of them, kept

and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of this order shall automatically revoke the authority herein granted to transfer the lease, without further order on the part of the Commission.

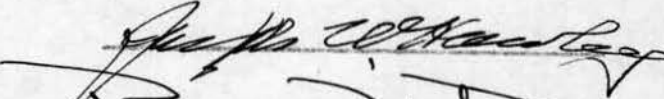
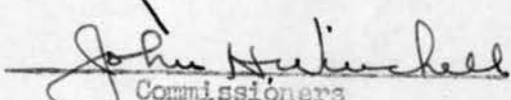
The tariff of rates, rules, and regulations of lessor shall become and remain those of lessees until changed according to law and the rules and regulations of this Commission.

The right of lessees to operate under this order shall depend upon the prior filing by lessor of delinquent reports, if any, covering operations under said certificate up to the time of lease of said operating rights, and payment by him or lessees of all unpaid ton-mile tax.

That ton-mile tax deposit covering operations under said PUC No. 287 should be transferred and credited to account of lessees herein.

This Order shall become effective twenty-one (21) days from the date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Ralph C. Horton  
  
Commissioners

Dated at Denver, Colorado,  
this 27th day of October, 1952.

mw

original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
H. B. WARD, DOING BUSINESS AS "WARD )  
TRANSPORT SERVICE," P. O. BOX 133, )  
PUEBLO, COLORADO, FOR AUTHORITY TO )  
TRANSFER PUC NO. 1497 AND PUC NO. )  
1497-I TO WARD TRANSPORT, INC., )  
P. O. BOX 133, PUEBLO, COLORADO. )  
----- )

APPLICATION NO. 12073-Transfer

-----  
October 27, 1952  
-----

Appearances: Marlon F. Jones, Esq.,  
Denver, Colorado, for  
applicants.

S T A T E M E N T

By the Commission:

By the instant application, H. B. Ward, doing business as "Ward Transport Service," Pueblo, Colorado, owner and operator of PUE No. 1497 and PUC No. 1497-I, seeks authority to transfer said operating rights to Ward Transport, Inc., Pueblo, Colorado.

Inasmuch as the files of the Commission and the application herein show that said operating rights are 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 operating rights, the Commission determined to hear, and has heard, said application, 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 against said operation, if any there be, whether secured or unsecured.

## ORDER

### THE COMMISSION ORDERS:

That H. B. Ward, doing business as "Ward Transport Service," Pueblo, Colorado, should be, and he is hereby, authorized to transfer all his right, title, and interest in and to PUC No. 1497 and PUC No. 1497-I to Ward Transport, Inc., Pueblo, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said certificates have been formally assigned and that said parties have accepted and in the future will comply with the conditions and requirements of this order to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this order within thirty (30) days from the effective date of this order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission.

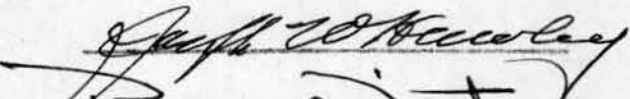
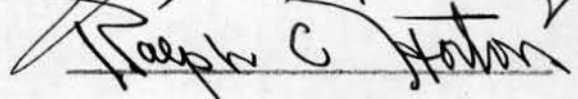
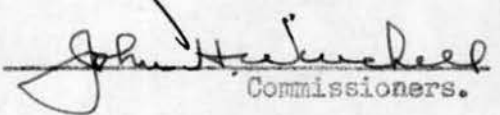
The tariff of rates, rules and regulations of transferor shall become and remain those of transferee until changed according to law and the rules and regulations of this Commission.

The right of transferee to operate under this order shall depend upon the prior filing by transferor of delinquent reports, if any, covering his operations under said certificates up to the time of the transfer of said certificates, and the payment by him or transferee of all unpaid ton-mile tax.

That ton-miles tax deposit of transferor shall be transferred  
and credited to account of transferee herein.

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 27th day of October, 1952.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
GLEN DENNEY AND WALTER CARR, )  
DOING BUSINESS AS "DENNEY AND )  
CARR," DOVE CREEK, COLORADO. )  
----- )

CASE NO. 62445-INS.  
(Permit No. B-4376)

-----  
October 28, 1952  
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S T A T E M E N T

By the Commission:

On September 30, 1952, in Case No. 62445-Ins., the Commission entered an order revoking Permit No. B-4376 for failure to keep on file the required certificate of insurance.

Effective insurance was filed within the 5-day period of grace, and without lapse, therefore the order of revocation should now be set aside.

F I N D I N G S

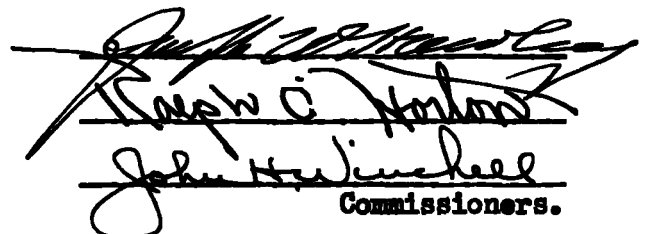
After careful consideration of the record and the files, the Commission is of the opinion, and finds, that our revocation order entered in Case No. 62445-Ins., should be cancelled and set aside, and said Permit No. B-4376 restored to its former status.

O R D E R

THE COMMISSION ORDERS:

That revocation order entered on September 30, 1952, in Case No. 62445-Ins., should be, and it hereby is, cancelled and set aside, and said Permit No. B-4376 restored to its former status as of September 30, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO.

  
\_\_\_\_\_  
Commissioners.

Dated at Denver, Colorado,  
this 28th day of October, 1952.

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 TRANSFER A PORTION OF  
PUC NO. 1450 TO THE ENGLEWOOD COR-  
PORATION, 704 EQUITABLE BUILDING,  
DENVER, COLORADO.

APPLICATION NO. 11808-Transfer

IN THE MATTER OF THE APPLICATION OF  
THE ENGLEWOOD CORPORATION, 704  
EQUITABLE BUILDING, DENVER, COLO-  
RADO, FOR AUTHORITY TO LEASE ALL  
TAXICAB OPERATING AUTHORITY FORMERLY  
OWNED BY JULIUS BUSSARD UNDER PUC  
NO. 1450 TO PUBLIX CAB COMPANY,  
1265 ACOMA STREET, DENVER, COLORADO.

APPLICATION NO. 11809-Transfer

October 27, 1952.

SUPPLEMENTAL ORDER

Appearances: Allen, Lynch, and Rouse, Esqs.,  
Denver, Colorado, by  
Frank P. Lynch, Jr., Esq.,  
Denver, Colorado, for  
Julius Bussard;  
Ira L. Quiat, Esq., Denver,  
Colorado, for Aurora  
Transportation Company;  
Kobey, Mitchell and McCarthy,  
Esqs., Denver, Colorado,  
by  
Robert S. Mitchell, Esq.,  
Denver, Colorado, for The  
Englewood Corporation,  
Publix Cab Company, and  
Aurora Transportation  
Company;  
Joseph G. Hodges, Esq., Denver,  
Colorado, for Rocky Mountain  
Motor Company;  
John R. Barry, Esq., Denver,  
Colorado, and  
Walter H. Simon, Esq., Denver,  
Colorado, for Yellow Cab,  
Inc., Checker Cab Company;  
Thomas P. Masterson, Esq.,  
Denver, Colorado, for  
Colorado Sightseeing Associa-  
tion.



## STATEMENT

### By the Commission:

On September 25, 1952, Decision No. 39375 was entered in the above-styled matters by the Commission.

On October 3, 1952, "Petition for Rehearing" was filed by Gene E. Holmes, doing business as "Rocky Mountain Motor Company," by Hodges, Vidal, and Goree, Esqs.

The Commission has reviewed the evidence adduced at the hearing on said applications, and has carefully considered Petition for Rehearing filed herein, and each and every allegation thereof, and is of the opinion that said Petition should be denied.

## FINDINGS

### THE COMMISSION FINDS:

That no error was committed in the entry of its Decision No. 39375; that no useful purpose would be served by granting rehearing herein, and that said Petition for Rehearing should be denied.

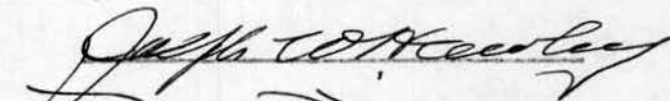
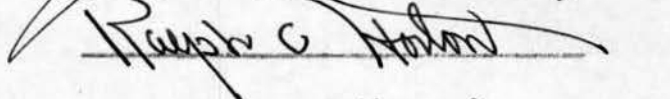
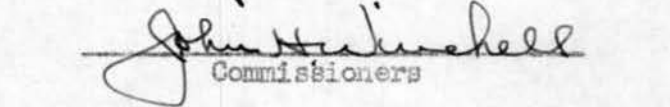
## ORDER

### THE COMMISSION ORDERS:

That Petition for Rehearing in the above-styled matters filed by Gene E. Holmes, doing business as "Rocky Mountain Motor Company," by Hodges, Vidal, and Goree, Attorneys, should be, and the same is hereby, denied.

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 27th day of October, 1952.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
W. L. NARDIN AND C. J. SCHULER, CO- )  
PARTNERS, DOING BUSINESS AS "TELLU- )  
RIDE TRANSFER COMPANY," TELLURIDE, )  
COLORADO, FOR AUTHORITY TO TRANSFER )  
PUC NO. 60 TO C. J. SCHULER, DOING )  
BUSINESS AS "TELLURIDE TRANSFER," )  
TELLURIDE, COLORADO. )  
----- )

APPLICATION NO. 12076-Transfer

-----  
October 28, 1952  
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S T A T E M E N T

By the Commission:

By the instant application, W. L. Nardin and C. J. Schuler, co-partners, doing business as "Telluride Transfer Company," Telluride, Colorado, owners and operators of PUC No. 60 seek authority to transfer said operating rights to C. J. Schuler, doing business as "Telluride Transfer," Telluride, Colorado, said W. L. Nardin being desirous of withdrawing from said partnership.

Inasmuch as the files of the Commission and the application herein show that said certificate is in good standing; that ton-mile tax deposit is to be transferred to account of transferee; 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 application 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 against said operation, if any there be.

## **ORDER**

### **THE COMMISSION ORDERS:**

That W. L. Nardin and C. J. Schuler, co-partners, doing business as "Telluride Transfer Company," Telluride, Colorado, should be, and they are hereby, authorized to transfer all their right, title, and interest in and to PUC No. 60 to C. J. Schuler, doing business as "Telluride Transfer," Telluride, Colorado, said W. L. Nardin being hereby authorized to withdraw from said partnership.

That road tax deposit of transferors shall be transferred and credited to account of transferee herein.

That transferee shall assume and pay ton-mile tax if any due and owing from transferors to the Commission on account of operations under said certificate.

That transfer herein authorized is subject to assumption and payment by transferee of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

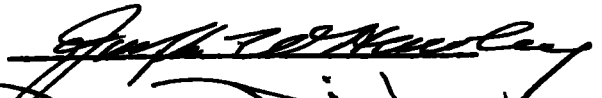


That said transfer shall become effective only if and when, but not before, said transferors and transferee, in writing, have advised the Commission that said certificate has been formally assigned and that said parties have accepted and in the future will comply with the conditions and requirements of this order to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this order within thirty (30) days from the effective date of the order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission.

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.

The right of transferee to operate under this order shall depend upon the prior filing by transferors of delinquent reports, if any, covering their operations under said certificate up to the time of the transfer of said certificate, and the payment by them or transferee of all unpaid ton-mile tax.

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 28th day of October, 1952.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF ) E. E. ROBINETT, DOVE CREEK, COLO- ) RADO, FOR AUTHORITY TO TRANSFER ) PERMIT NO. B-4219 AND PERMIT NO. ) B-4219-I TO LESTER GRAY, DOVE ) CREEK, COLORADO. ) ----- )	APPLICATION NO. 12077-PP-Transfer
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-----  
October 28, 1952  
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Appearances: Guy B. Dyer, Jr., Esq.,  
Dove Creek, Colorado,  
for applicants.

S T A T E M E N T

By the Commission:

By Decision No. 35214, of date August 19, 1950, George Parker, Dove Creek, Colorado, was granted a Class "B" permit to operate as a private carrier by motor vehicle for hire, for the transportation of:

vanadium ore, sand and gravel, and coal,  
within a radius of seventy-five miles of  
Dove Creek, Colorado,

said operating rights being designated "Permit No. B-4219."

By Decision No. 36090, of date February 7, 1951, George Parker, Dove Creek, Colorado, was authorized to transfer all his right, title, and interest in and to Permit No. B-4219 to E. E. Robinett, Dove Creek, Colorado.

Pursuant to authority contained in Decision No. 37729, of date November 14, 1951, said E. E. Robinett was authorized to extend operations under said Permit No. B-4219 to include the right to transport:

vanadium ore from points within a radius of seventy-five miles of Dove Creek, Colorado, to vanadium mills in Grand Junction, Durango, Naturita, and Uravan, Colorado, for customers as listed with the Commission in intrastate and interstate commerce,

said interstate operations being known as "Permit No. B-4219-I."

By the instant application, E. E. Robinett seeks authority to transfer Permits Nos. B-4219 and B-4219-I to Lester Grain, Dove Creek, Colorado.

Inasmuch as the files of the Commission and the application herein show that said operating rights are in good standing; that road tax has been paid; that ton-mile tax deposit is to be refunded to transferor; that there are no outstanding unpaid operating obligations against said permits; 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 operating rights, the Commission determined to hear, and has heard, said application, 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 E. E. Robinett, Dove Creek, Colorado, should be, and he is hereby, authorized to transfer all his right, title, and interest in and to Permits Nos. B-4219 and B-4219-I — being the operating rights granted by Decisions Nos. 35214 and 37729 — to Lester Grain, Dove Creek, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said permits have been formally assigned and that said parties have accepted and in the future will comply with the conditions and requirements of this order to be by them, or either of them, kept and performed.


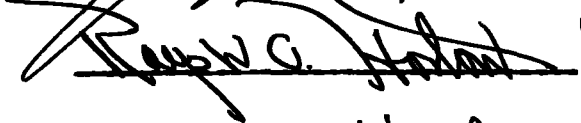
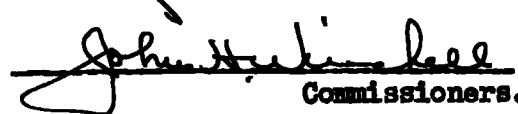
The right of transferee to operate under this order shall depend upon his compliance with all present and future laws and rules and regulations of the Commission, and the prior filing by transferor of delinquent reports, if any, covering his operations under said permits up to the time of transfer of said permits, and the payment by him or transferee of all unpaid ton-mile tax.

That ton-mile tax deposit of transferor shall be refunded to him.

That the transfer of interstate operating rights herein authorized is subject to the provisions of the Federal Motor Carrier Act of 1935.

This order is made a part of the permits authorized to be transferred, and 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 28th day of October, 1952.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
B. A. FISHER AND EARL MORITZ, CO- )  
PARTNERS, DOING BUSINESS AS "THE )  
HI-BALL CONTRACTORS," BOX 1312, CUT )  
BANK, MONTANA, FOR AUTHORITY TO )  
TRANSFER INTERSTATE OPERATING RIGHTS )  
TO B. A. FISHER, DOING BUSINESS AS )  
"HI-BALL CONTRACTORS," P. O. BOX )  
310, 4 SOUTH EIGHTEENTH STREET, )  
BILLINGS, MONTANA. )

PUC NO. 1746-I-Transfer

-----  
October 28, 1952  
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S T A T E M E N T

By the Commission:

Heretofore, B. A. Fisher and Earl Moritz, doing business as "The Hi-Ball Contractors," Cut Bank, Montana, were authorized, subject to the provisions of the Federal Motor Carrier Act of 1935, to operate as common carriers by motor vehicle in interstate commerce, and PUC No. 1746-I issued to them.

Said certificate-holders now seek authority to transfer said operating rights to B. A. Fisher, doing business as "Hi-Ball Contractors," Billings, Montana, said Earl Moritz being desirous of withdrawing from said partnership.

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 B. A. Fisher and Earl Moritz, co-partners, doing business as "The Hi-Ball Contractors," Cut Bank, Montana, should be, and they are hereby, authorized to transfer all their right, title, and interest in and

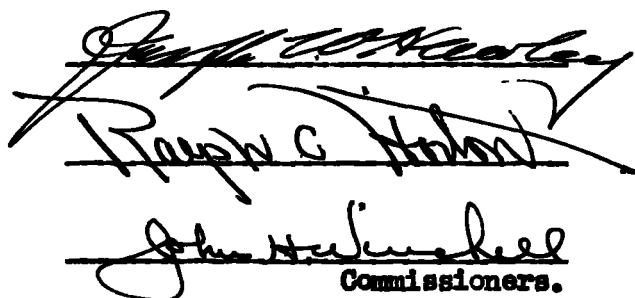


to PUC No. 1746-I to B. A. Fisher, doing business as "Hi-Ball Contractors," Billings, Montana, said Earl Moritz being hereby authorized to withdraw from said partnership.

That transfer herein authorized is subject to the provisions of the Federal Motor Carrier Act of 1935, and also subject to the payment of outstanding indebtedness against said operating rights, if any there be, whether secured or unsecured.

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 28th day of October, 1952.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
PAUL E. BOWMAN, LOVELAND, COLORADO, )  
FOR AUTHORITY TO TRANSFER PUC NO. )  
2150 TO HUBERT H. MC NEILL AND )  
EDITH H. MC NEILL, CO-PARTNERS, )  
1049 COLORADO AVENUE, LOVELAND, )  
COLORADO. )

APPLICATION NO. 12075-Transfer

-----  
October 28, 1952  
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S T A T E M E N T

By the Commission:

By Decision No. 34966, of date June 13, 1950, Joe Bowman and Paul E. Bowman, co-partners, Loveland, Colorado, were granted a certificate of public convenience and necessity to operate as common carriers by motor vehicle for hire, for the transportation of:

ashes and trash within the corporate limits of the City of Loveland, Larimer County, Colorado, and from points within said corporate limits to the City Dump, west of said City of Loveland, Colorado,

said operating rights being designated "PUC No. 2150."

Pursuant to authority contained in Decision No. 36665, of date May 4, 1951, said certificate-holders transferred said operating rights to Mrs. Lettie Bowman, Loveland, Colorado, who, pursuant to authority contained in Decision No. 38240, of date March 7, 1952, transferred PUC No. 2150 to Paul E. Bowman, Loveland, Colorado, who, by the instant application, seeks authority to transfer said operating rights to Hubert H. McNeill and Edith H. McNeill, co-partners, Loveland, 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 transferees; 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 certificate, the Commission determined to hear, and has heard, said application, 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 in the public interest, and should be authorized, subject to outstanding indebtedness, if any.

### O R D E R

#### THE COMMISSION ORDERS:

That Paul E. Bowman, Loveland, Colorado, should be, and he is hereby, authorized to transfer all his right, title, and interest in and to PUC No. 2150 — being the operating rights granted by Decision No. 34966 — to Hubert H. McNeill and Edith H. McNeill, co-partners, Loveland, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That said transfer shall become effective only if and when, but not before, said transferor and transferees, in writing, have advised the Commission that said certificate has been formally assigned and that said parties have accepted and in the future will comply with the conditions and requirements of this order to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this order within thirty (30) days from the effective date of the order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission.


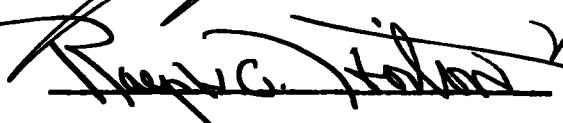
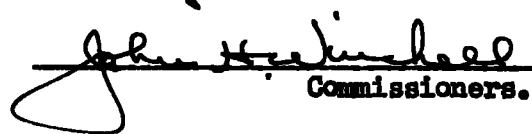
The tariff of rates, rules and regulations of transferor shall become and remain those of transferees until changed according to law and the rules and regulations of this Commission.

The right of transferees to operate under this order shall depend upon the prior filing by transferor of delinquent reports, if any, covering his operations under said certificate, and the payment by him or transferees of all unpaid ton-mile tax.

That ton-mile tax deposit of transferor shall be transferred and credited to account of transferees herein.

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 28th day of October, 1952.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
FRED SCHRODER, 2801 SOUTH LOGAN )  
STREET, ENGLEWOOD, COLORADO, FOR )  
AUTHORITY TO TRANSFER PUC NO. 2097 ) APPLICATION NO. 12074-Transfer  
TO HARVEY G. DAVIS, 3055 SOUTH )  
BANNOCK STREET, ENGLEWOOD, COLORADO. )  
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-----  
October 28, 1952  
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S T A T E M E N T

By the Commission:

By Decision No. 34362, of date March 10, 1950, Fred Schroder, Englewood, Colorado, was granted a certificate of public convenience and necessity to conduct a motor vehicle common carrier call and demand service, for the transportation:

in pick-up and delivery service, of trash and fertilizer from point to point within a radius of ten miles of the City of Englewood, Colorado, excluding service in Aurora, Lakewood, Westwood, Arvada, Golden, and the territory served by Louis C. Berand, doing business as "Dad's Disposal Service," PUC No. 1968, particularly described as follows, to-wit:

"extending from the line commonly designated as the center line of Kipling Street, which line is the most easterly boundary line of said area, to a line one mile east of the City of Golden, which said line is the most westerly boundary line of the area, and extending from a line three hundred feet north of and paralleling North Twenty-Sixth Avenue, which last said line is the most northerly line of the area, to a line two thousand feet south of and paralleling West Alameda Avenue, which said line is the most southerly boundary line of the area, which area consists of approximately seventeen square miles, being approximately five and one-half miles between the east and west boundary lines, and three and one-half miles between the north and south boundary lines, on the one hand, and dumps and disposal places located in Jefferson County, Colorado, on the other hand,

said operating rights being designated "PUC No. 2097."

By the instant application, said certificate-holder seeks authority to transfer said PUC No. 2097 to Harvey C. Davis, Englewood, 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 qualified and able to carry on the operation, and it does not appear that any useful purpose would be served by setting said application 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 Fred Schroder, Englewood, Colorado, should be, and he is hereby, authorized to transfer all his right, title, and interest in and to PUC No. 2097 — being the operating rights granted by Decision No. 34362 — to Harvey C. Davis, Englewood, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said certificate has been formally assigned and that said



parties have accepted and in the future will comply with the conditions and requirements of this order to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this order within thirty (30) days from the effective date of the order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission.

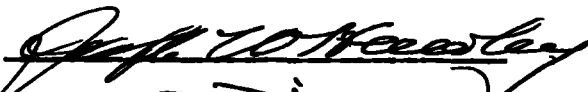


The tariff of rates, rules and regulations of transferor shall become and remain those of transferee until changed according to law and the rules and regulations of this Commission.

The right of transferee to operate under this order shall depend upon the prior filing by transferor of delinquent reports, if any, covering his operations under said certificate, and the payment by him or transferee of all unpaid ton-mile tax.

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

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 28th day of October, 1952.

Original

(Decision No. 39574)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE APPLICATION OF K & K TRANSFER,) )  
BARNHILL TRUCK LINE AND BYERS- )  
DENVER TRUCK LINE FOR INCREASES )  
IN CLASS RATES. )  
-----

CASE NO. 1585

-----  
October 28, 1952  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of the following applications, viz:

APPLICATION NO. 240

The Motor Truck Common Carriers' Association, as agent, for and on behalf of C. O. Kellef, Ernestine C. Keller, Marvin Koehn and Bernardine Koehn, doing business as K & K Transfer, Springfield, Colorado, seek authority to increase the class rates in section 1 and commodity rates in section 2 of M.T.C.C.A. Freight Tariff Colo. P.U.C. No. 6, by 15 per cent

The operation of this carrier is between Lamar, Colorado and Springfield, Colorado, and intermediate points and between Springfield, Colorado and Vilas, Walsh, Stonington, Midway, Richards, Rodley and Campo and intermediate points, on schedule, also between Springfield, Colorado and Two Buttes, Colorado on call and demand.

The commodity rates in section 2 are as follows: Item 1960 - Coal; Sugar in bags; Flour in bags; Feed, animal or poultry, in bags, barrels, boxes or belas; Cement; Lime; Salt in bags, barrels or boxes. Minimum weight 500 pounds, between Lamar, Colo. and Springfield, Colorado, 23 cents per 100 pounds, Two Buttes, Campo, Vilas, Stonington, Walsh, Midway, Richards and Rodley, 28 cents per 100 pounds. Item 2230 - Cream, between Springfield, Colorado and Lamar, Colorado, 34 cents per 5 gallon can and 41 cents per 10 gallon can. Rates include return of empty cans.

APPLICATION NO. 241

The Motor Truck Common Carriers' Association, as agent, for and on behalf of G. Barnhill, doing business as Barnhill Truck Line, Ramah, Colorado seek authority to increase the class rates in section 1 by 15 per cent. Also increase by 15 per cent the following commodity rates: Item No. 1750 - Carload shipments of fourth class freight, or commodities upon which specific rates lower than fourth class have been provided, and which have been received by railroad car at Calhan, Ramah, Simla, Matheson or Limon, Colorado.

<u>Distance</u>	<u>Rate Per 100 Pounds</u>
6 miles and over 2 miles	8
12 " " " 6 miles	9
16 " " " 12 "	11
25 " " " 16 "	15

Item No. 2330 - Feed, Animal or Poultry, minimum weight 800 pounds, from Denver, Colorado to Agate, Calhan, Matheson, Peyton, Ramah, River Bend, and Simla, Colorado, 40 cents per 100 pounds.

Item No. 2650 - Iron and Steel Articles as described in said item, from Denver, Colorado to Peyton, Calhan, Ramah, Simla and Matheson, Colorado, 50 cents per 100 pounds.

Item No. 2680 - Laundry, finished, from Denver, Colorado to Simla, Colorado, 83 cents per 100 pounds.

Item No. 3110 - Milk or Cream, from points in authorized territory of Barnhill Truck Line to Denver, Colorado - 400 pounds or less per day on an average for a bi-monthly period - 60 cents per 100 pounds. 800 pounds and over 400 pounds per day on an average for a bi-monthly period - 50 cents per 100 pounds. Over 800 pounds per day on an average for a bi-monthly period, - 40 cents per 100 pounds. Rates include the return of empty cans.

Item No. 2370 - Film, Motion Picture, between Denver, Colorado and Calhan, Matheson, Peyton, Ramah and Simla, Colorado - 73 cents on one box not exceeding 50 pounds in weight, - \$1.10 per shipment over one box.

Also increase the following commodity rates ten (10) per cent.

Item No. 1780 - Cement, Lime, Plaster and their products as described in Items No. 3940 and 3950, Tariff Colo. P.U.C. No. 6, minimum weight 30,000 pounds, from Portland, Colorado to Simla, Ramah, Matheson, Calhan and Peyton, Colorado, 18 cents per 100 pounds, and from Portland, Colorado, to Limon, Colorado, 21 cents per 100 pounds. From Portland, Colorado, Cement Plant near La Porte, Colorado, Plaster Mill near Loveland, Colorado, to Byers, Deer-trail, Genoa, Colorado, 22 cents per 100 pounds, Arriba and Hugo, Colorado, 23 cents per 100 pounds, Burlington, Flagler, Seibert, Stratton, Colorado, 24 cents per 100 pounds, Cheyenne Wells and Kit Carson, Colorado, 26 cents per 100 pounds.

#### APPLICATION NO. 244

The Motor Truck Common Carriers' Association, as agent, for and on behalf of Ed Tuxhorn, doing business as Byers-Denver Truck Line, Byers, Colo., seek authority to cancel the class rates subject to minimum weights of 5,000 and 10,000 pounds, between points on the line of the above carrier and apply the volume ratings and minimum weights as published in the current National Motor Freight Classification, as provided in Item No. 1150 of Colo. P.U.C. No. 6. Also provide for a deduction of five (5) cents per 100 pounds from the less-than-truckload rates on shipments moving in minimum quantities of 5,000 pounds and ten (10) cents per 100 pounds from the less-than-truckload rates on shipments moving in minimum quantities of 10,000 pounds.

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

##### THE COMMISSION FINDS:

That, Case No. 1585 should be reopened for further hearing relative to the matters set forth in the statement.

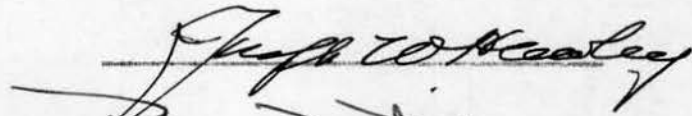
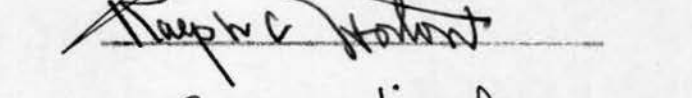
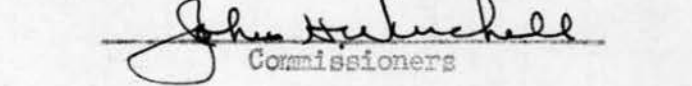
#### O R D E R

##### THE COMMISSION ORDERS:

That Case No. 1585 be and the same is hereby reopened for further hearing before Examiner Wood, beginning at 10:00 o'clock A.M. on November 10, 1952, in the hearing room of the Commission, 330 State Office Building,

Denver, Colorado, for the taking of evidence relative to the matters and things hereinbefore set forth in the Statement.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado  
this 28th day of October, 1952.

hs



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
THOMAS F. GALLIGAN, DOING )  
BUSINESS AS "GALLIGAN WHOLE- )  
SALE MEAT COMPANY," 3462 )  
LARIMER STREET, DENVER, COLO- )  
RADO. )  
-----)

CASE NO. 62662-INS.  
(Permit No. C-23499)

-----  
October 28, 1952  
-----

S T A T E M E N T

By the Commission:

On September 30, 1952, in Case No. 62662-Ins., the Commission entered an order revoking Permit No. C-23499 for failure to keep on file the required certificate of insurance.

Insurance was in effect however, but through oversight of the agent, was not filed with the Commission. Since proper insurance has now been filed, without lapse, the order of revocation should be set aside.

F I N D I N G S

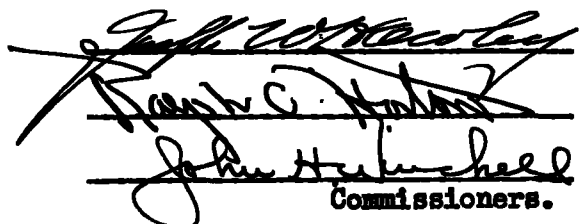
After careful consideration of the record and the files, the Commission is of the opinion, and finds, that our revocation order entered in Case No. 62662-Ins., should be cancelled and set aside, and said Permit No. C-23499 restored to its former status.

O R D E R

THE COMMISSION ORDERS:

That revocation order entered on September 30, 1952, in Case No. 62662-Ins., should be, and it hereby is, cancelled and set aside, and said Permit No. C-23499 restored to its former status as of September 30, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 28th day of October, 1952.  
ea

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

◆ ◆ ◆ ◆

RE MOTOR VEHICLE OPERATIONS OF )  
H. C. REINERT, BRUSH, )  
COLORADO. )

**PERMIT NO. C-1320**

**October 31, 1952**

## STATEMENT

**By the Commission:**

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

**H. C. Reinert**

requesting that Permit No. C-1320 be cancelled.

## FINDINGS

**THE COMMISSION FINDS:**

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:**

That Permit No. C-1320, heretofore issued to.....

**H. C. Reinert**..... be,

and the same is hereby, declared cancelled effective      October 8, 1952.

**THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

*Robert W. Hawley*  
*Frederic C. Hickox*  
*John H. Winchell*  
 Commissioners

**Dated at Denver, Colorado,**

this 31st day of October, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF )  
HOWARD H. HAUSE, ROUTE 2, )  
FORT LUPTON, COLORADO. )  
 ) PERMIT NO.C-15169  
 )  
 )  
 )

-----

-----  
October 31, 1952  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Howard H. Hause-----  
requesting that Permit No. C-15169-----be cancelled.

F I N D I N G S

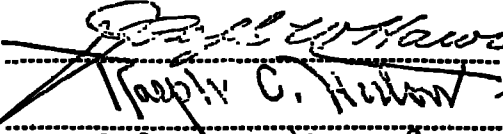

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-15169-----, heretofore issued to-----  
Howard H. Hause-----be,  
and the same is hereby, declared cancelled effective October 20, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
  
\_\_\_\_\_  
  
Commissioners

Dated at Denver, Colorado,  
this 31st day of October, 1952.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JERRY DeVRIES, ROUTE 3, BOX )  
184, MONTROSE, COLORADO. )

PERMIT NO. C-20253

October 31, 1952

S T A T E M E N T

By the Commission:

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

Jerry DeVries

requesting that Permit No. C-20253 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-20253, heretofore issued to.....

Jerry DeVries be,

and the same is hereby, declared cancelled effective October 27, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*W. W. Hawley*  
*Ralph C. Norton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 31st day of October, 1952.

mls

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

◆ ◆ ◆ ◆

RE MOTOR VEHICLE OPERATIONS OF )  
EDWARD E. RODWELL, BOX 231, )  
FLEMING, COLORADO. )

**PERMIT NO. C-20361**

**October 31, 1952**

## STATEMENT

**By the Commission:**

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

**Edward E. Rodwell**

requesting that Permit No. C-20361 be cancelled.

## FINDINGS

**THE COMMISSION FINDS:**

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:**

That Permit No. C-20361, heretofore issued to.....

**Edward E. Rodwell** ..... be.

and the same is hereby, declared cancelled effective      October 20, 1952.

**THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

~~W. Hawley~~  
Ralph C. Horton  
John H. Winchell

**Commissioners**

**Dated at Denver, Colorado,**

this 31st day of October, 195 2.

als

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
EARL F., REX B., HOWARD, ROBERT )  
& EARL M. STERRY, DOING BUSINESS )  
AS "EARL M. STERRY & SONS," ) PERMIT NO. C-18240  
CLIFTON, COLORADO. )  
----- )

-----  
October 31, 1952  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Earl F., Rex B., Howard, Robert & Earl M. Sterry, dba "Earl M. Sterry & Sons"  
requesting that Permit No. C-18240 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

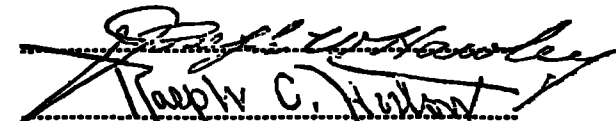
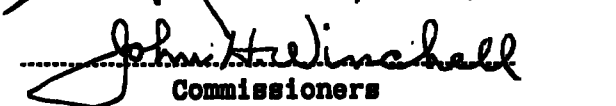
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-18240, heretofore issued to Earl F., Rex B.,  
Howard, Robert & Earl M. Sterry, dba "Earl M. Sterry & Sons" be,  
and the same is hereby, declared cancelled effective September 29, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Ralph C. Hinton  
  
John H. Winchell  
Commissioners

Dated at Denver, Colorado,  
this 31st day of October, 1952.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
GEORGE A. PIERCE, 1550 SO. HAZEL )  
COURT, DENVER 19, COLORADO. )  
-----

PERMIT NO. B-3606

-----  
October 31, 1952  
-----

S T A T E M E N T

By the Commission:

On April 30, 1952, the Commission authorized George A. Pierce, Denver, Colorado, to suspend operations under his Permit No. B-3606 until September 28, 1952.

The Commission is now in receipt of a communication from the above-named permittee requesting that his permit be reinstated.

F I N D I N G S

THE COMMISSION FINDS:

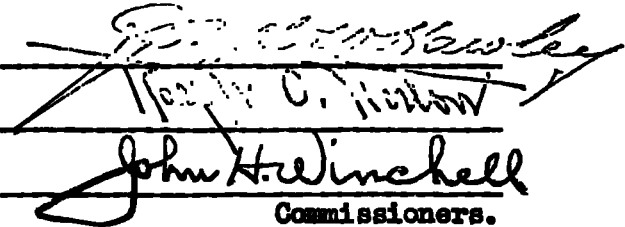
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-3606 should be, and the same hereby is, reinstated as of October 28, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 31st day of October, 1952.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

A. L. MUSICK,

Complainant,

v.

THE CITY OF COLORADO SPRINGS,

Defendant.

CASE NO. 4982

October 29, 1952

Appearances: Bennett and Heinicke, Esqs.,  
Colorado Springs, Colorado,  
for Complainant;  
F. T. Henry, Esq., City Attorney,  
Colorado Springs, Colorado,  
for Defendant;  
J. M. McNulty, Denver, Colorado,  
for the Commission.

S T A T E M E N T

By the Commission:

Mr. A. L. Musick filed a complaint with this Commission on July 3, 1948, under Section 45, Chapter 137, 1935 Colorado Statutes Annotated, alleging that the City of Colorado Springs was a public utility furnishing water to residents of areas outside the town boundary and had refused to give him water service under the terms and conditions of an ordinance establishing the City's policy as to such customers.

The Commission issued its order to the City of Colorado Springs on July 9, 1948, directing said City to satisfy or answer the complaint.

On August 4, 1948, the City filed its answer and an "Application and Motion to Dismiss." The answer disclaimed knowledge of the facts on which the complaint was based, and the motion to dismiss was based on the premise that the City was not a public utility and hence not under the Commission's jurisdiction.

The matter was set for hearing in Colorado Springs, Colorado, on September 30, 1948, before the Commission, and evidence was taken on the Motion to Dismiss and on the complaint itself. Briefs were submitted by the interested parties, and the Commission on August 2, 1949, by Decision No. 33141, entered its order in the case, finding that the City was a public utility subject to the jurisdiction of the Commission as to its water utility operations outside its municipal boundaries. The Commission also found that the complainant was entitled to water service from the City under the rules and regulations to be filed by the City and approved by the Commission.

The City applied to the Commission for a re-hearing in the matter, and on September 21, 1949, by Decision No. 33463, the Commission denied the re-hearing.

The City of Colorado Springs applied to the District Court within and for the County of El Paso, in Civil Action No. 28659, asking said Court in effect to review and set aside the Commission's Order. The Court, however, upheld the Commission's decision in its findings that Colorado Springs was a public utility when rendering water service outside its municipal boundaries. The City of Colorado Springs then took the matter before the State Supreme Court seeking to have the decision of the District Court reversed.

Subsequent to the decision of the District Court of El Paso County, the Supreme Court entered a decision in the case of Englewood v. Denver, 123 Colo. 290, 229 P. (2d) 667, determining that the City and County of Denver, in supplying water outside of its corporate limits, was not a public utility and not subject to the jurisdiction of the Public Utilities Commission as to such service. When the matter of Musick v. City of Colorado Springs came before the Supreme Court, the Court held that the decision in Englewood v. Denver, supra, was controlling in the Musick case in every respect.

The Supreme Court reversed the District Court of El Paso County with directions to said Court to dismiss the action and remand the case to the Public Utilities Commission, with instructions that it dismiss the complaint. On October 27, 1952, the Commission received the Order of the

District Court within and for the County of El Paso in Civil Action No. 28659, wherein the Court, in accordance with the Judgment and Order of the Supreme Court, instructed the Commission to dismiss the complaint of A. L. Musick, Complainant, v. City of Colorado Springs, Defendant.

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

##### THE COMMISSION FINDS:

That the complaint of A. L. Musick, Complainant, v. The City of Colorado, Springs, Defendant, being Case No. 4982 before this Commission, should be dismissed in accordance with the Order of the District Court within and for the County of El Paso, State of Colorado, in Civil Action No. 28659.

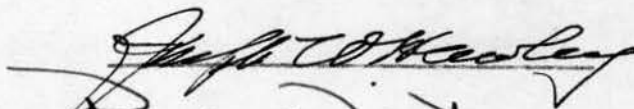
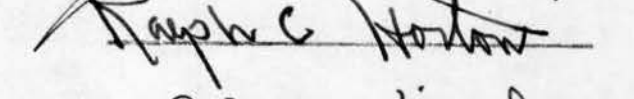
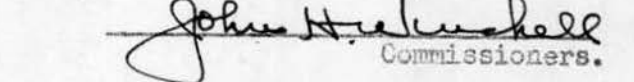
#### O R D E R

##### THE COMMISSION ORDERS:

That Case No. 4982, in the matter of A. L. Musick, Complainant, v. The City of Colorado Springs, Defendant, be, and it hereby is, dismissed.

That 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 October, 1952.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
HAROLD W. THOMPSON, DOING BUSI- )  
NESS AS "METROPOLITAN BUS SER- )  
VICE, 5216 MORRISON ROAD, )  
DENVER, COLORADO. )  
-----

PUC NO. 2171

-----  
October 28, 1952  
-----

S T A T E M E N T

By the Commission:

By Decision No. 38578, of date April 29, 1952, Harold W. Thompson, doing business as "Metropolitan Bus Service," Denver, Colorado, was authorized to suspend operations under PUC No. 2171 until October 29, 1952.

The Commission is now in receipt of a communication from said certificate-holder, as follows:

"\*\*\* It is the opinion of said certificate-holder that a resumption in operations at this time would not be feasible from a profitable standpoint.

"Therefore said certificate-holder hereby requests authority to further suspend operations under said certificate for a period of six months from October 29, 1952."

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted.

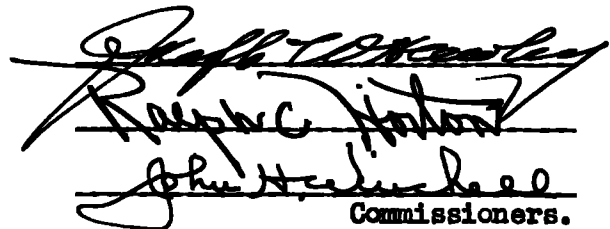
O R D E R

THE COMMISSION ORDERS:

That Harold W. Thompson, doing business as "Metropolitan Bus Service," Denver, Colorado, should be, and he is hereby, authorized to further suspend operations under PUC No. 2171 until April 29, 1953.

That unless said certificate-holder shall, prior to expiration of said suspension period, make a request in writing for the reinstatement of said certificate, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to common carrier certificates, said certificate, without further action by the Commission, shall be revoked, without right to reinstate.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 28th day of October, 1952.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JOHN L. CLAPPER, DOING BUSINESS AS )  
"YELLOW CAB," LEADVILLE, COLORADO, )  
FOR AUTHORITY TO LEASE PUC NO. 1185 )  
TO MINNIE L. VARNER, DOING BUSINESS )  
AS "YELLOW CAB," LEADVILLE, COLO- )  
RADO. )  
-----

APPLICATION NO. 12078-Transfer

-----  
October 29, 1952  
-----

S T A T E M E N T

By the Commission:

John L. Clapper, Leadville, Colorado, is the owner of PUC No. 1185, authorizing a general taxicab business in Leadville, Colorado, and between Leadville and points outside thereof, at specified rates.

The Commission has been requested to approve a certain lease and agreement between the said John L. Clapper and Minnie L. Varner, Leadville, Colorado.

It appears from the documents filed herein that on April 8, 1952, the said John L. Clapper entered into an agreement to lease said certificate to the said Minnie L. Varner, but the lease was never presented to the Commission for approval. However, the said Minnie L. Varner conducted said taxicab business from April 8, 1952 up to the present date. The original lease was presumably for a period beginning April 8, 1952, and expiring April 8, 1955, for a consideration of fifteen percent of the gross receipts from said taxicab operation until the full sum of \$5,624.52 had been paid, and thereafter for the remainder of the term, payable by five percent of the gross receipts, the lease containing certain other conditions relative to the use of a taxicab office in Leadville, Colorado.

By a supplemental agreement, which is the first document filed with the Commission relative to the transaction, the consideration was re-

duced to ten percent of the gross receipts until the sum of \$3,183.30 has been paid, and thereafter, five percent of the gross receipts, with other changes relative to the rental of the taxicab office, the amendments to become effective on August 1, 1952.

There has now been filed with the Commission a lease and agreement, in writing, between these parties, of date October 22, 1952, setting forth the terms of the original lease which was never reduced to writing, and referring to the amendments thereto, and by the terms of this lease and agreement, John L. Clapper leases said certificate to Minnie L. Varner, doing business as "Yellow Cab," Leadville, Colorado, for a term of three years, commencing April 8, 1952 (to give effect to the original agreement), and expiring on April 8, 1955, the consideration being the same as set forth in the original agreement between the parties, as amended.

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

##### THE COMMISSION FINDS:

That the lease agreement between John L. Clapper, doing business as "Yellow Cab," Leadville, Colorado, and Minnie L. Varner, doing business as "Yellow Cab," Leadville, Colorado, for a term of three years from April 8, 1952, or until April 8, 1955, upon the terms and conditions agreed upon by the parties on April 8, 1952, with certain amendments, effective August 1, 1952, should be approved.

#### O R D E R

##### THE COMMISSION ORDERS:

That John L. Clapper, doing business as "Yellow Cab," Leadville, Colorado, should be, and he is hereby, authorized to lease PUC No. 1185 to Minnie L. Varner, doing business as "Yellow Cab," Leadville, Colorado, for a term of three years from April 8, 1952, or until April 8, 1955, upon the terms and conditions agreed upon by the parties on April 8, 1952, with certain amendments effective August 1, 1952, as set forth in the preceding Statement, which is made a part hereof, by reference.

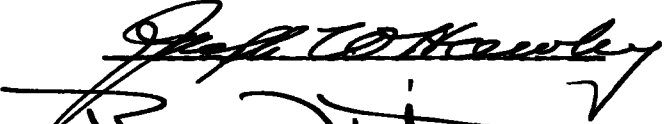
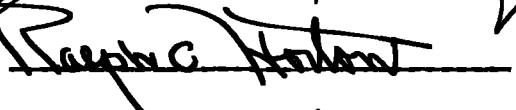
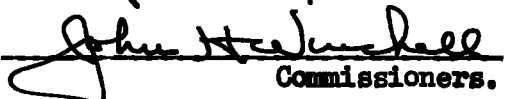
That said lease shall become effective only if and when, but not before, said lessor and lessee, in writing, have advised the Commission that said certificate has been formally assigned and that said parties have accepted and in the future will comply with the conditions and requirements of this order to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this order within thirty (30) days from the effective date of the order shall automatically revoke the authority herein granted to make the lease, without further order on the part of the Commission.

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.

The right of lessee to operate under this order shall depend upon the prior filing by lessor of delinquent reports, if any, covering his operations under said certificate and the payment by him or lessee of all unpaid passenger-mile tax.

This order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 29th day of October, 1952.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
H. B. WARD, DOING BUSINESS AS "WARD )  
TRANSPORT SERVICE," P. O. BOX 133, )  
PUEBLO, COLORADO, FOR AUTHORITY TO )  
TRANSFER PUC NO. 1497 AND PUC NO. )  
1497-I TO WARD TRANSPORT, INC., )  
P. O. BOX 133, PUEBLO, COLORADO. )  
-----

APPLICATION NO. 12073-Transfer  
SUPPLEMENTAL ORDER

-----  
October 29, 1952.  
-----

Appearances: Marion F. Jones, Esq., Denver,  
Colorado, for applicants.

S T A T E M E N T

By the Commission:

By Decision No. 39566, of date October 27, 1952, the Commission authorized H. B. Ward, doing business as "Ward Transport Service," Pueblo, Colorado, to transfer PUC Nos. 1497 and 1497-I to Ward Transport, Inc., Pueblo, Colorado.

In said decision it was provided:

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

It now appears that ton-mile tax deposit of transferor is a bond, which is not transferable.

F I N D I N G S

THE COMMISSION FINDS:

That Decision No. 39566 should be amended by striking therefrom the provision for transfer of ton-mile tax deposit.

O R D E R

THE COMMISSION ORDERS:


That Decision No. 39566, of date October 27, 1952, should be,

and the same is hereby, amended, nunc pro tunc, as of said 27th day of October, by striking therefrom the following paragraph, appearing at the top of Page 3 thereof:

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

That, except as herein amended, said Decision No. 99566 shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Joseph W. Kealey  
Ralph C. Horton  
John H. Winchell  
Commissioners

Dated at Denver, Colorado,  
this 29th day of October, 1952.

EW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
EUGENE DUNCAN, P. O. BOX 1346, )  
PUEBLO, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 12037-PP-Reissue

-----  
October 30, 1952.  
-----

Appearances: Eugene Duncan, Pueblo, Colo-  
rado, pro se.

S T A T E M E N T

By the Commission:

On August 19, 1952, 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 coal and slack from mines in the Canon City-Florence Coal Fields in Fremont County, Colorado, to railheads in Florence, Colorado, to coal dealers in Pueblo, Colorado, and to Pueblo Air Base; 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 pits and supply points, excluding service in Clear Creek, Boulder, and Gilpin Counties, Colorado, and for the re-issuance of Permit No. B-4147 covering this authority.

The matter was regularly set for hearing, and heard, at the Court House, Pueblo, Colorado, on October 22, 1952, at ten o'clock A. M., and at the conclusion of the hearing, the matter was taken under advisement.

At the hearing, it appeared that applicant is well qualified by experience to carry on his proposed operation; that he is financially responsible, his net worth being \$10,000.00; that he owns a two and one-half-ton G.M.C. Truck, and would like to have the permit number "B-4147" reissued to him.

It did not appear that applicant's service would impair the efficiency of any common carrier service operating in the territory. There were no protests to the granting of the instant application.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the instant application should be granted, and that "Permit No. B-4147" should be assigned to the operation.

### O R D E R

#### THE COMMISSION ORDERS:

That Eugene Duncan, Pueblo, Colorado, should be, and he is hereby, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of coal and slack from mines in the Canon City-Florence Coal Fields in Fremont County, Colorado, to railheads in Florence, Colorado, to coal dealers in Pueblo, Colorado, and to Pueblo Air Base; 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 pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties.

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.

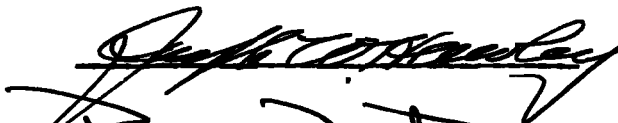
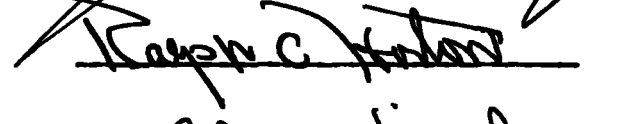

The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

That the number "Permit No. B-4147" shall be assigned to this operation.



This Order shall become effective twenty-one (21) days from  
the date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 30th day of October, 1952.

MW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF }  
LORENZO RIVAS, 1028 PINE STREET, }  
PUEBLO, COLORADO, FOR A CLASS "B" }  
PERMIT TO OPERATE AS A PRIVATE }  
CARRIER BY MOTOR VEHICLE FOR HIRE. }

APPLICATION NO. 12038-PP

-----  
October 30, 1952.  
-----

Appearances: Lorenzo Rivas, Pueblo, Colo-  
rado, pro se.

S T A T E M E N T

By the Commission:

On September 2, 1952, 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 ashes from Southern Colorado Power Company, Pueblo, Colorado, to Fountain Sand and Gravel Company and City Dump within a radius of five miles of Pueblo, Colorado.

The matter was regularly set for hearing, and heard, at the Court House, Pueblo, Colorado, on October 22, 1952, at ten o'clock A. M., and at the conclusion of the hearing, the matter was taken under advisement.

At the hearing, it appeared that applicant is well qualified by experience, and is financially responsible, his net worth being approximately \$4,000.00. He owns a 1941 one and one-half-ton truck, and it does not appear that his proposed operation will impair the service of common carriers operating in the territory.

No one appeared at the hearing to protest the granting of the instant application.

F I N D I N G S

THE COMMISSION FINDS:

That the instant application should be granted.

O R D E R

THE COMMISSION ORDERS:

That Lorenzo Rivas, 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 ashes from Southern Colorado Power Company, Pueblo, Colorado, to Fountain Sand and Gravel Company and City Dump within a radius of five miles of Pueblo, Colorado.

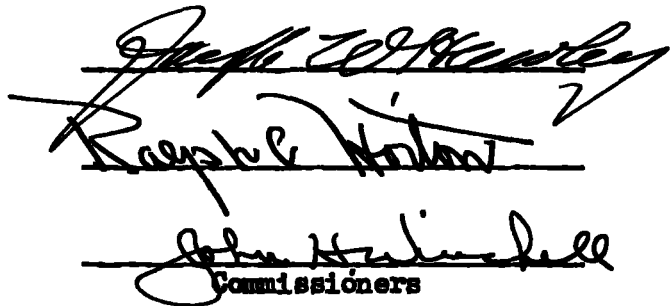
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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-one (21) days from the date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 30th day of October, 1952.

EW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
MARTIN BENJAMIN MONTEZ, BOONE, COLO- )	
RADO, FOR A CLASS "B" PERMIT TO )	<u>APPLICATION NO. 12051-PP</u>
OPERATE AS A PRIVATE CARRIER BY )	
MOTOR VEHICLE FOR HIRE. )	

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-----  
October 30, 1952  
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Appearances: Martin Benjamin Montez,  
Boone, Colorado, pro se.

S T A T E M E N T

By the Commission:

On September 30, 1952, 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, generally; that is, beet pulp, hay (baled or loose), alfalfa meal, ensilage from point to point, farm to farm, from dealers to farmers within the following described area:

a line drawn east and west parallel to a line drawn north and south along the Otero and Bent County lines; on the south a line following the Otero, Las Animas and Huerfano, Pueblo County lines; on the west following the Pueblo County line.

The matter was regularly set for hearing, and heard, at the Court House in Pueblo, Colorado, on October 22, 1952, at ten o'clock A. M., with due notice to all parties in interest, and, at the conclusion of the hearing, the matter was taken under advisement.

At the hearing, the evidence disclosed that applicant is the owner of four trucks and has a net worth of approximately \$10,000.00.

No one appeared to protest the granting of the instant application and it does not appear to the Commission that the granting of the application would impair common carrier service now authorized to serve this area. It appears from the records that applicant is well qualified by experience,

is financially responsible, and is willing and able to carry on his proposed operation.

In our interpretation of the application, we cannot see where there is any need for the transportation of livestock under the general term "farm produce" and we are excluding the transportation of livestock because no need was shown for this service.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the instant application, as hereinafter limited, should be granted.

### O R D E R

#### THE COMMISSION ORDERS:

That Martin Benjamin Montez, of Boone, 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) beet pulp, hay (baled or loose), alfalfa meal, ensilage from point to point, farm to farm, from dealers to farmers within the following described area:

a line drawn east and west parallel to a line drawn north and south along the Otero and Bent County lines; on the south a line following the Otero, Las Animas and Huerfano, Pueblo County lines; on the west following the Pueblo County line.

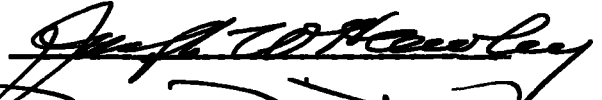
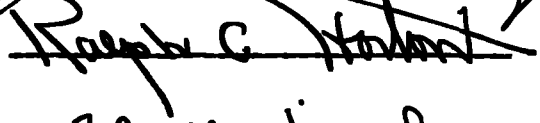
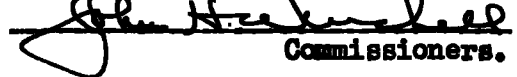
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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-one days from  
date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 30th day of October, 1952.

original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
ALVIN L. KRAVIG, 2020 EAST TWELFTH, )	
PUEBLO, COLORADO, FOR A CLASS "B" )	APPLICATION NO. 12052-PP
PERMIT TO OPERATE AS A PRIVATE )	
CARRIER BY MOTOR VEHICLE FOR HIRE. )	
-----	

-----  
October 30, 1952  
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Appearances: Mrs. Alvin L. Kravig, Pueblo,  
Colorado, for applicant;  
W. R. Book, Rush, Colorado,  
pro se;  
J. H. McCorkle, Karval, Colo-  
rado, pro se;  
L. C. LeBorde, Hugo, Colorado,  
pro se.

S T A T E M E N T

By the Commission:

On August 25, 1952, 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 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 50 miles of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties; farm products from points within that territory which lies between U. S. Highway 36 and U. S. Highway 50 and east of U. S. 85-87 to the State Line, to points in said area.

Pursuant to prior setting, this matter was regularly called for hearing at the Court House in Pueblo, Colorado, on October 22, 1952, and at that time applicant could not be present to testify in support of his application.

It was then ordered by the Commissioner taking the hearings that the matter be continued, to be reset at some future date convenient to the Commission, with notice to all parties in interest.



## FINDINGS

### THE COMMISSION FINDS:

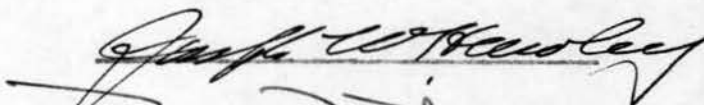
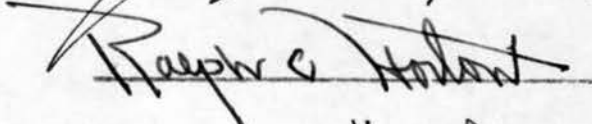
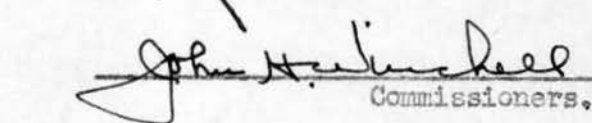
That the instant application should be reset at some future date convenient to the Commission, with due notice to all interested parties.

## ORDER

### THE COMMISSION ORDERS:

That the instant application be, and the same is hereby, continued, to be reset at some future date convenient to the Commission, with due notice to all interested parties.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 30th day of October, 1952.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF MAX ARMSTRONG, OLNEY SPRINGS, COLO- RADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE. -----	} } } } }	<u>APPLICATION NO. 12039-PP</u>
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-----  
October 30, 1952  
-----

Appearances: Max Armstrong, Olney Springs,  
Colorado, pro se.

**S T A T E M E N T**

By the Commission:

On August 18, 1952, 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 baled and loose hay and small grains from farms within a 25-mile radius of Olney Springs to hay mills in said radius and to dairies and hay dealers and feed stores in Pueblo, Colorado Springs, and points within a 150-mile radius of Olney Springs, Colorado; mixed feed from feed dealers in Denver, Colorado, Pueblo, and Colorado Springs, to Schade Elevator, Olney Springs, Colorado.

The matter was regularly set for hearing, and heard, at the Court House in Pueblo, Colorado, on October 22, 1952, at ten o'clock A. M., and at the conclusion of the hearing, the matter was taken under advisement.

At the hearing, the evidence disclosed that applicant presently owns three trucks and has a net worth of approximately \$10,000.00. On August 20, 1952, applicant was issued a temporary permit to transport baled and loose hay and small grains in the Olney Springs area. Applicant stated that he desired to haul hay, both baled and loose, and small grains in the vicinity of Olney Springs, and from the vicinity of Olney Springs to a 150-mile radius of Olney Springs. Applicant also asks for the right to haul mixed feed from feed dealers in Denver, Pueblo and Colorado Springs to the Schade elevator at Olney Springs.

Applicant did not bring any witnesses from the Schade elevator to show any need for this proposed service, while on the other hand, the issuance of a temporary permit indicates a need for the movement of baled hay and small grain. It does not appear from the evidence that the granting of the application for the transportation of hay and grain would impair the services of any common carrier authorized to serve, and it therefore appears that the best interests of the public would be served by granting the application as hereinafter limited.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the application, as hereinafter limited, should be granted.

### O R D E R

#### THE COMMISSION ORDERS:

That Max Armstrong, of Olney Springs, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of baled and loose hay and small grains from farms within a 25-mile radius of Olney Springs to hay mills in said radius, and to dairies and hay dealers and feed stores in Pueblo, Colorado Springs and points within a 150-mile radius of Olney Springs, Colorado.

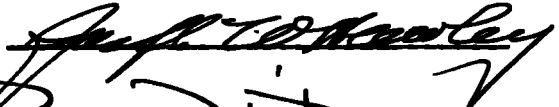
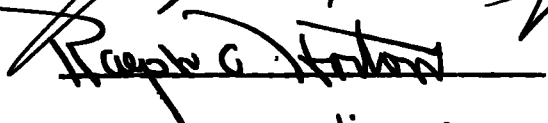

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 30th day of October, 1952.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF)  
HAROLD EUGENE SHEPHERD, 726 "B"  
STREET, SALIDA, COLORADO, FOR A  
CLASS "A" PERMIT TO OPERATE AS A  
PRIVATE CARRIER BY MOTOR VEHICLE  
FOR HIRE.  
----- )

APPLICATION NO. 12050-PP

-----  
October 30, 1952  
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Appearances: Harold Eugene Shepherd,  
Salida, Colorado, pro se;  
R. E. Turano, Denver, Colo-  
rado, and  
T. A. White, Esq., Denver,  
Colorado, for Rio Grande  
Motor Way, Inc.

**S T A T E M E N T**

By the Commission:

On September 16, 1952, 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 bread from Pueblo, Colorado, to Salida, Colorado, and Leadville, Colorado.

The matter was regularly set for hearing, and heard, at the Court House in Pueblo, Colorado, on October 22, 1952, with due notice to all interested parties, and at the conclusion of the hearing, the matter was taken under advisement.

Applicant, testifying in his own behalf, stated that he was presently operating a bread delivery truck between Salida and Gunnison three days a week, and is the owner of a one-half-ton Dodge Pick-up, and a 1951 Ford truck; that he has a net worth of approximately \$12,000.00. Applicant states he desires to haul bread for Harry E. Egars of Salida and T. E. Crook of Leadville, and that they will give him some business in hauling to Salida and Leadville.

Applicant was the only witness testifying in support of his application, and he did not have any customers to testify in his behalf.

R. E. Turano, Traffic Manager of Rio Grande Motor Way, Inc., vigorously protested the granting of the instant application. He stated Rio Grande Motor Way is running daily schedules from Pueblo to Salida and Leadville, presently handling Rainbo bread, which applicant desires to haul. Witness Turano maintains that if this bread operation is taken away from Rio Grande Motor Way, it would take business from the operation, thereby making it necessary for Rio Grande to ask for increased rates on the products now hauled, or to curtail its present service.

The Commission, in considering the above matter, is of the opinion that the granting of the instant application would impair the common carrier service of Rio Grande Motor Way. Further, the Commission is impressed with the fact that the service is not needed because no customers appeared to testify as to the need for this service. There is no evidence in the record that the present service offered by Rio Grande Motor Way is not adequate to take care of bread shipments. Applicant stated that he could perform a better service, but this is not confirmed by any shipper-witnesses.

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

##### THE COMMISSION FINDS:

That the instant application should be denied for the reasons heretofore set forth in the Statement which, by reference, is made a part of these Findings.

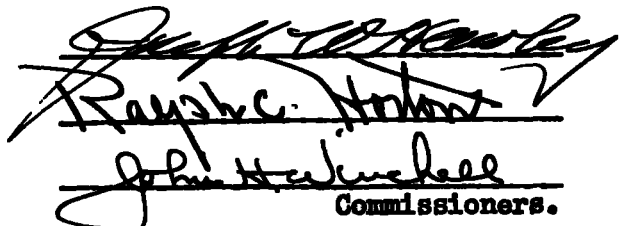
#### O R D E R

##### THE COMMISSION ORDERS:

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

This order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 30th day of October, 1952.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF DALE E. VAN EGMOND, 2525 NORTH MAIN STREET, PUEBLO, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE. -----	} APPLICATION NO. 12053-PP
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-----  
October 30, 1952  
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S T A T E M E N T

By the Commission:

On September 12, 1952, Dale E. Van Egmond, of Pueblo, Colorado, filed his application for a Class "B" permit to operate as a private carrier by motor vehicle for hire for the transportation of 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 50 miles of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties; farm products between points within that territory which lies between U. S. No. 24 Colorado Springs to State Line, and U. S. Highway No. 50 from Pueblo east, and east of U. S. 85-87.

The matter was regularly set for hearing at the Court House in Pueblo, Colorado, on October 22, 1952, with due notice to all parties in interest. Applicant failed to appear, and no one appeared in opposition.

The Commissioner in charge then ordered the files to be made a part of the record and the matter was taken under advisement.

An examination of the files discloses that applicant desires to haul sand and gravel which is ordinarily not protested by the common carriers in Colorado. Applicant further asks for the transportation of livestock in the territory lying east of Colorado Springs and Pueblo.



We cannot say that the transportation of farm products could be granted without a more definite showing by applicant because we do not feel that we are in a position to say that the granting of this authority would not impair the service of presently authorized common carriers. On the other hand, we feel that we are justified in giving to applicant the sand and gravel authority.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the application, as hereinafter limited, should be granted.

### O R D E R

#### THE COMMISSION ORDERS:

That Dale E. Van Egmond, of Pueblo, Colorado, should be, and he hereby is, authorized to operate as a private carrier by motor vehicle for hire for the transportation of 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 50 miles of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties.

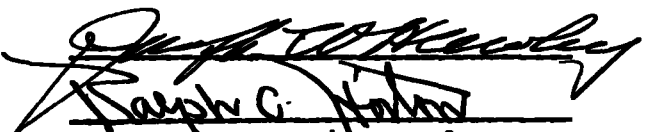
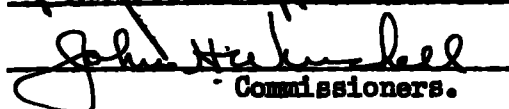
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Ralph C. Harkin  
  
John H. Harkness  
Commissioners.

Dated at Denver, Colorado,  
this 30th day of October, 1952.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF }  
ARTHUR A. KROELL, SR., AND }  
ARTHUR A. KROELL, JR., DOING }  
BUSINESS AS "ARTHUR A. KROELL }  
& SON," ROUTE 1, LAMAR, COLO- }  
RADO. }  
----- }

CASE NO. 62824-INS.  
(Permit No. C-18349)

-----  
October 30, 1952  
-----

S T A T E M E N T

By the Commission:

On September 23, 1952, in Case No. 62824-Ins., the Commission entered an order revoking Permit No. C-18349 for failure to keep on file the required certificate of insurance.

Proper insurance has now been filed, within the 5-day period of grace and without lapse, and order of revocation should be set aside.

F I N D I N G S

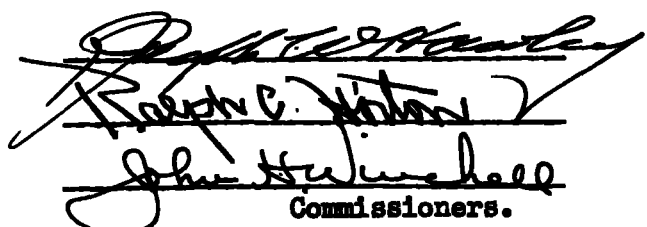
After careful consideration of the record and the files, the Commission is of the opinion, and finds, that our revocation order entered in Case No. 62824-Ins., should be cancelled and set aside, and said Permit No. C-18349 restored to its former status.

O R D E R

THE COMMISSION ORDERS:

That revocation order entered on September 23, 1952, in Case No. 62824-Ins., should be, and it hereby is, cancelled and set aside, and said Permit No. C-18349 restored to its former status as of September 23, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 30th day of October, 1952.  
ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
YAMPA VALLEY CO-OP. ASS'N., )  
1103 LINCOLN STREET, STEAMBOAT )  
SPRINGS, COLORADO. )  
----- )  
CASE NO. 62501-INS.  
(Permit No. C-11561)

-----  
October 30, 1952  
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S T A T E M E N T

By the Commission:

On September 30, 1952, in Case No. 62501-Ins., the Commission entered an order revoking Permit No. C-11561 for failure to file the required certificate of insurance.

Insurance was in effect but through negligence of the agent was not filed until ten days after the permit had been revoked. Proper filing has now been made, without lapse, and order of revocation should be set aside.

F I N D I N G S

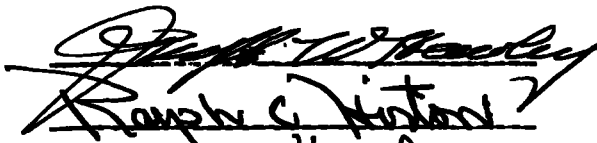

After careful consideration of the record and the files, the Commission is of the opinion; and finds, that our revocation order entered in Case No. 62501-Ins., should be, and it hereby is, cancelled and set aside, and said Permit No. C-11561 restored to its former status.

O R D E R

THE COMMISSION ORDERS:

That revocation order entered on September 30, 1952, in Case No. 62501-Ins., should be, and it hereby is, cancelled and set aside, and said Permit No. C-11561 restored to its former status as of September 30, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
Commissioners.

Dated at Denver, Colorado,  
this 30th day of October, 1952.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
SAUNDERS PETROLEUM CO., 1601 )  
COLORADO BLVD., DENVER 7, )  
COLORADO. ) PERMIT NO. C-27173  
)  
)  
)  
-----

-----  
November 7, 1952  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Saunders Petroleum Co.  
-----  
requesting that Permit No. C-27173 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-27173, heretofore issued to-----  
Saunders Petroleum Co. be,  
-----  
and the same is hereby, declared cancelled effective October 25, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph C. Henson*  
\_\_\_\_\_  
*John H. Winchell*  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,  
this 7th day of November, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
O. S. LAWLESS, 2320 SOUTH )  
HOOKER ST., DENVER 10, )  
COLORADO. ) PERMIT NO. C-26978  
 )  
 )  
 )  
 )  
----- )

-----  
November 7, 1952  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
O. S. Lawless-----  
requesting that Permit No. C-26978-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

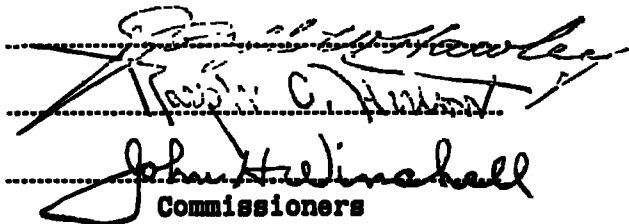
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-26978-----, heretofore issued to-----  
O. S. Lawless-----be,  
and the same is hereby, declared cancelled effective September 22, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 7th day of November, 1952.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
PRODUCERS GRAIN CORPORATION, )  
517 FISK BLDG., AMARILLO, )  
TEXAS. ) PERMIT NO. C-26301  
 )  
 )  
 )  
-----

-----  
November 7, 1952  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
-----Producers Grain Corporation-----  
requesting that Permit No. C-26301-----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-26301-----, heretofore issued to-----  
-----Producers Grain Corporation-----be,  
and the same is hereby, declared cancelled effective October 27, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Winchell*  
*John H. Winchell*  
*John H. Winchell*

Commissioners

Dated at Denver, Colorado,  
this 7th day of November, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
FRANK McINTOSH, DOING BUSINESS )  
AS "X-L POTATO CHIP CO.," 416 )  
EAST 13th ST., HAYS, KANSAS. ) PERMIT NO. C-26291  
)  
)  
)  
-----

-----  
November 7, 1952

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Frank McIntosh, dba "X-L Potato Chip Co."  
requesting that Permit No. D-26291 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

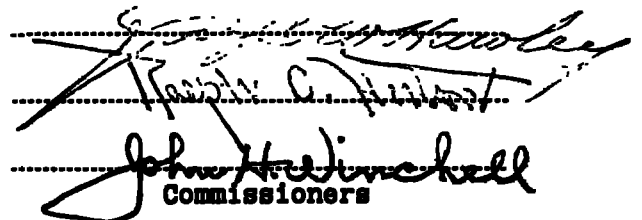
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-26291, heretofore issued to.....  
Frank McIntosh, dba "X-L Potato Chip Co." be,  
and the same is hereby, declared cancelled effective October 20, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 7th day of November, 1952.

mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
SPECTRO MANUFACTURING & SALES, )  
INC., 7602 RALSTON ROAD, )  
ARVADA, COLORADO. ) PERMIT NO. C-25301  
)  
)  
)  
-----

-----  
November 7, 1952

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Spectro Manufacturing & Sales  
-----  
requesting that Permit No. C-25301 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-25301, heretofore issued to-----  
Spectro Manufacturing & Sales be,  
and the same is hereby, declared cancelled effective October 10, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Robert C. Hawley*  
\_\_\_\_\_  
*Respect C. Hawley*  
\_\_\_\_\_  
*John H. Winchell*  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,  
this 7th day of November, 1952.  
mls

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

• • • •

RE MOTOR VEHICLE OPERATIONS OF )  
ROBERT LEE EVANS, 431 WEST )  
GRANT, PUEBLO, COLORADO. )

**PERMIT NO. C-25169**

November 7, 1952

# STATEMENT

**By the Commission:**

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

**Robert Lee Evans**

requesting that Permit No. C-25169.....be cancelled.

## FINDINGS

**THE COMMISSION FINDS:**

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:**

That Permit No. C-2516, heretofore issued to.....

**Robert Lee Evans** ..... be,

**and the same is hereby, declared cancelled effective October 12, 1952.**

**THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

~~James M. Hawley~~  
~~Joseph W. C. Horton~~  
~~John H. Mitchell~~

**Dated at Denver, Colorado,**

**this 7th day of November, 1952.**

118

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
T. E. COOK, DOING BUSINESS AS )  
"T. E. COOK COMPANY," 10TH & )  
WATER STREETS, CANON CITY, ) PERMIT NO. C-25149  
COLORADO. )  
----- )

-----  
November 7, 1952

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
T. E. Cook, dba "T. E. Cook Company"-----  
requesting that Permit No. C-25149 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

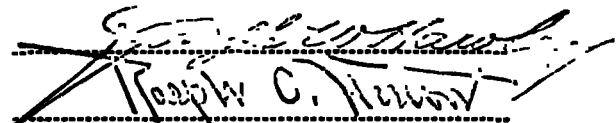

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-25149, heretofore issued to-----  
T. E. Cook, dba "T. E. Cook Company"-----be,  
and the same is hereby, declared cancelled effective October 17, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
\_\_\_\_\_  
Joseph C. Harvey  
  
\_\_\_\_\_  
John H. Winchell  
Commissioners

Dated at Denver, Colorado,  
this 7th day of November, 1952.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
A. A. GALLEGOS, ROUTE 1, BOX )  
270, LA JARA, COLORADO. )  
)  
)  
)  
)  
)  
-----

PERMIT NO. C-24133

-----  
November 7, 1952  
-----

S T A T E M E N T

By the Commission:

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

-----  
A. A. Gallegos  
-----

requesting that Permit No. C-24133 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

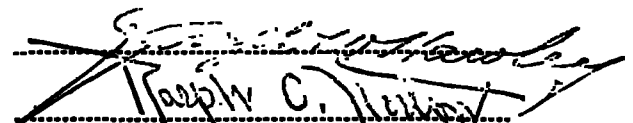
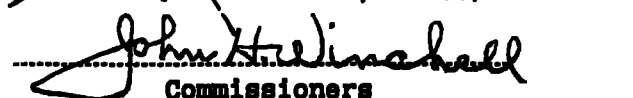
THE COMMISSION ORDERS:

That Permit No. C-24133, heretofore issued to-----

-----  
A. A. Gallegos  
----- be,

and the same is hereby, declared cancelled effective September 30, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
-----  
Joseph C. Hutton  
-----  
  
-----  
John H. Winchell  
Commissioners

Dated at Denver, Colorado,

this 7th day of November, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF )  
JOHN ARCHER, 5250 WEST 38th )  
AVENUE, DENVER 14, COLORADO. )  
 ) PERMIT NO. C-22540  
 )  
 )  
 )  
-----

-----  
November 7, 1952  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
John Archer  
.....  
requesting that Permit No. C-22540.....be cancelled.

F I N D I N G S

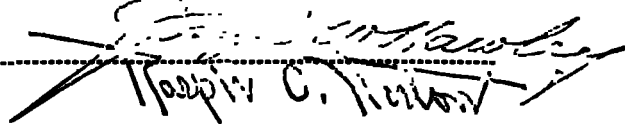
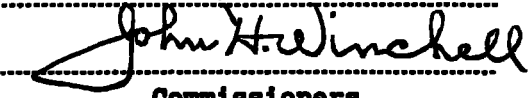
THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-22540....., heretofore issued to.....  
John Archer.....be,  
and the same is hereby, declared cancelled effective October 23, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
  
-----  
  
-----  
Commissioners

Dated at Denver, Colorado,  
this 7th day of November, 1952.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE PROPOSED RATE SCHEDULE, AS IT  
AFFECTS USERS OUTSIDE CORPORATE  
BOUNDARIES OF THE CITY OF LONG-  
MONT, COLORADO.  
-----

)  
) INVESTIGATION AND SUSPENSION  
) DOCKET NO. 275  
)

IN THE MATTER OF THE SERVICE  
RULES AND REGULATIONS OF THE  
CITY OF LOVELAND, COLORADO, IN  
RELATION TO THE LOVELAND MUNIC-  
IPAL WATER WORKS.  
-----

)  
)  
) CASE NO. 4962 ✓  
)  
)

CUSTOMERS OF CITY OF GOLDEN WATER-  
WORKS, LIVING OUTSIDE OF CITY LIMITS,

Complainants,

v.

CITY OF GOLDEN,

Defendant.  
-----

)  
)  
) CASE NO. 5000  
)  
)

MRS. LEAH HARTSOCK, ROUTE 1, COLO-  
RADO SPRINGS, COLORADO,

Complainant,

v.

CITY OF COLORADO SPRINGS, MUNICIPAL  
WATER DEPARTMENT,

Defendant.  
-----

)  
)  
) CASE NO. 5008  
)  
)

OUTSIDE WATER USERS, TOWN OF WEST-  
MINSTER, WATER DEPARTMENT,

Complainants,

v.

TOWN OF WESTMINSTER, WATER  
DEPARTMENT,

Defendant.  
-----

)  
)  
) CASE NO. 5013  
)  
)

-----  
October 30, 1952  
-----

## S T A T E M E N T

### By the Commission:

All of the above entitled matters are pending before this Commission in various degrees of completion. All have been held in abeyance awaiting a clarification by the courts of the authority of this Commission as it pertains to jurisdiction of municipalities rendering water service outside their corporate boundaries.

Investigation and Suspension Docket No. 275 was instituted as a result of a proposed water rate schedule filed by the City of Longmont with the Commission on May 19, 1947, proposing to put into effect on July 1, 1947, a new water rate increase of 33-1/3% to all customers receiving water service outside the municipal boundaries of Longmont. Upon protest by the affected customers, the Commission suspended the proposed effective date of the proposed rate for a period of 120 days, or until October 29, 1947, unless otherwise ordered. A hearing was held on July 29, 1947, and after said hearing, the Commission by Order lifted the suspension temporarily as it applied to the proposed water rates, allowing them to go into effect, but keeping in suspension the rules and regulations as they pertain to the "connection charge," the "service charge," the "permit charge" and the "meter charge." On August 1, 1949, the Commission's Rules and Regulations governing the Service of Water Utilities became effective and said rules provided for certain charges that might be billed by municipalities serving outside their corporate limits for connection, service, permit and meter charges. These rules were adopted after a hearing in which all interested parties presented testimony, including the City of Longmont. On August 4, 1949, the Commission, by Decision No. 33146, entered its order permitting the rates as filed by the City of Longmont to become permanent but permanently suspending the proposed charges for connection, service, permit and meter as proposed by the city and ordering the City to file new rules and regulations with the Commission relating to the service to consumers outside the City, in conformance with the



Commission's Rules Governing Service of Water Utilities. The City of Longmont applied for a rehearing in the matter within the statutory time allotted, and the Commission on September 27, 1949, by Decision No. 33477, granted the rehearing to be held at a date later to be determined by the Commission. This matter has been held since that time pending the clarification above referred to.

Case No. 4962 was instituted by the Commission on its own motion on July 31, 1947 as a result of a complaint filed by Mr. Keith Dever, Masonville Route, Loveland, Colorado, as to certain water tap and connection charges made by the City of Loveland to customers connecting to the municipal water system outside the corporate limits. An Order to Show Cause was issued to the City and the matter was set for hearing at Loveland on August 19, 1947. The Commission by Decision No. 34625, subsequent to the hearing, issued its order finding that the tap charge made by the City to the Complainant was discriminatory and in violation of the Commission's rules, and that said charge should be returned to the Complainant. The Commission also found that it had jurisdiction over the City of Loveland as to its water utility operations outside of its municipal boundaries, and therefore ordered the City to bring its rules and regulations into conformance with the Commission's requirements. The City of Loveland applied to the Commission for a rehearing within the allotted statutory time so as to automatically suspend the Commission's order until further order of the Commission. This matter has been pending awaiting the outcome of the question as to the Commission's jurisdiction as heretofore stated.

Case No. 5000 was instituted by the Commission as a result of the filing of a petition by water users residing outside the corporate limits of the City of Golden. The petition was filed on July 12, 1949, and the Commission's order to Satisfy or Answer was issued July 29, 1949. The City of Golden replied to the above complaint on August 15, 1949, by filing an answer to the complaint and also a motion to dismiss on the grounds that the City of Golden was not a public utility. The matter was set for hearing, and heard, on November 16, 1949, by the Commission,

but to date no order has been issued by the Commission, pending clarification of its jurisdiction, as stated previously.

Case No. 5008 was instituted by the Commission as a result of a complaint made by Mrs. Leah Hartsock, in which she stated that she was unable to obtain water service from the City of Colorado Springs although she had a contract that entitled her to such service with the Northfield Land and Water Company, the predecessor company, serving water in the area. The City of Colorado Springs, by a previous application before this Commission, had purchased the physical assets of the Northfield Company, and had also acquired the certificate of public convenience and necessity issued by the Commission to said company. The City of Colorado Springs, in response to the Commission's order to Satisfy or Answer in the case, filed an Answer to the complaint and also a Motion to Dismiss, based on the grounds that the complaint was based upon a contract between Mrs. Hartsock and the City's predecessor and that such a contractual dispute would not come under the Commission's jurisdiction. The matter was set for hearing, and heard, on January 9, 1950 at Colorado Springs. At the hearing, the Commission took the matter of the Motion to Dismiss under advisement, and after some testimony by Mrs. Hartsock in support of her complaint, approved a Stipulation by and between the interested parties, to the effect that no further evidence would be taken in this matter until some future date to be fixed by the Commission. While the Commission, subsequent to this time, has endeavored to bring this matter up for further hearing, it has been unable to do so, due to conflicting time schedules between interested parties. It is now apparent that this matter comes within the category of all the other matters listed herein in regard to jurisdiction and can now be handled under the delineation of powers of the Commission as determined by the courts relative to municipal water service outside the corporate limits.

Case No. 5013 was instituted as a result of the filing with the Commission on March 28, 1949, of a petition signed by all but one of the rural users of water service receiving service from the Town of Westminster residing outside the corporate limits of said town. The Commission

issued its order to Satisfy or Answer the complaint on March 3, 1950, and the town replied thereto on March 29, 1950, denying that this Commission has any right or authority over the town of Westminster Water Department. Since this matter also had to do with water service by a municipality outside of its corporate limits, the Commission has held the matter suspended, pending the determination as to its jurisdiction.

It can be readily seen that the Commission has been faced on numerous occasions with the question of jurisdiction over rates and service by municipally-owned utilities serving water users outside their corporate limits. The claim that the Commission has such jurisdiction has, for the most part, been opposed by the municipalities involved, and the issue has been sorely in need of clarification, due to the fact all of the Commission's orders issued in regard to these matters were attacked in motions for rehearing filed by the cities and towns involved.

During the time that these matters were pending before the Commission, the City of Englewood and the City of Denver became involved in litigation before the District Court in the City and County of Denver over water service that involved all of the questions that had heretofore been raised before the Commission in its numerous water cases. The City of Englewood, in its complaint before the Court, contended that Denver was a public utility subject to the jurisdiction of the Public Utilities Commission as to the sale of its surplus water outside the city limits, and further, that Denver and Englewood had a contract with regard to the rates for water service.

The Commission was vitally interested in the outcome of the Denver-Englewood case as it felt that determination of the issues therein would help to clarify the question of its jurisdiction. The District Court in its decision in the matter, held that Denver was not a public utility in the rendering of this water service, and also found that the contract was, in effect, a right-of-way and not a perpetual obligation. The matter was taken on appeal by writ of error to the Supreme Court and the interest of the Commission was such that it filed a brief in the



matter as amicus curiae. The Supreme Court upheld the District Court of the City and County of Denver in its finding that Denver was not serving as a public utility in the rendering of water service outside its corporate limits. (123 Colo. 290, 299 P. (2d) 667).

Prior to the decision of the Supreme Court in the Denver-Englewood case, which was issued on February 19, 1951, Case No. 4982 of A. L. Musick vs. the City of Colorado Springs was instituted before the Commission on a complaint from Mr. Musick in which he stated he was unable to obtain water service from the City of Colorado Springs, although said city was rendering service to the public generally under the terms and conditions of an ordinance adopted by the City in regard to water service outside the corporate limits. The Commission, in its decision in the Musick case, found that the City of Colorado Springs was a public utility in the supplying of water to customers residing outside the limits of Colorado Springs. After the Commission had denied a rehearing to the City, the decision was appealed to the District Court in and for the County of El Paso and said Court affirmed the Commission's Findings and Order. The City of Colorado Springs then took the matter to the Supreme Court.

The decision by the Supreme Court in the Englewood vs. Denver case, supra, was issued subsequent to the decision of the District Court in the Musick case. When the Musick case came before the Supreme Court, the Court held that the Englewood vs. Denver case was controlling in the matter and therefore Colorado Springs was not a public utility subject to the jurisdiction of the Public Utilities Commission, and reversed the judgment of the District Court with instructions to remand the case to the Public Utilities Commission with instructions to dismiss the Musick complaint.

In view of the Denver-Englewood case, further substantiated by the Musick-Colorado Springs case, the Commission believes that the matter of its jurisdiction over municipal utilities serving water to customers living outside the corporate limits has been decided. In view of the decisions of the Supreme Court mentioned above, the Commission feels that all of the matters now pending before it that have to do with water service by municipalities outside the corporate limits should be dismissed upon its own motion.

## FINDINGS

### THE COMMISSION FINDS:

That on its own motion, I. & S. Docket No. 275-In Re: Proposed rate schedule as it affects users outside corporate boundaries of the City of Longmont, Colorado; Case No. 4962-In the matter of the service rules and regulations of the City of Loveland, Colorado, in relation to the Loveland municipal water works; Case No. 5000-Customers of City of Golden waterworks, living outside of city limits vs. The City of Golden; Case No. 5008-Mrs. Leah Hartsock, Rt. 1, Colorado Springs, Colorado vs. Colorado Springs Municipal Water Department; Case No. 5013-Outside water users, Town of Westminster, Water Department vs. Town of Westminster, Water Department, should be dismissed.

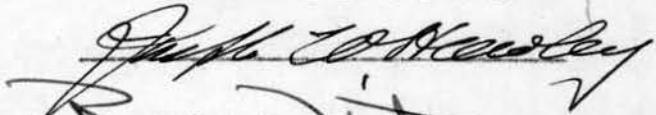

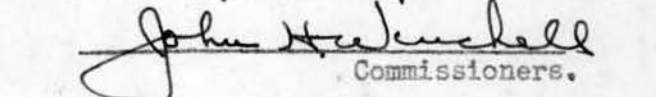
## ORDER

### THE COMMISSION ORDERS:

That I. & S. Docket No. 275-In Re: Proposed rate schedule as it affects users outside corporate boundaries of the City of Longmont, Colorado; Case No. 4962-In the matter of the service rules and regulations of the City of Loveland, Colorado, in relation to the Loveland Municipal Water Works; Case No. 5000-Customers of City of Golden Water Works, living outside of city limits vs. The City of Golden; Case No. 5008-Mrs. Leah Hartsock, Rt. 1, Colorado Springs, Colorado vs. Colorado Springs Municipal Water Department; Case No. 5013-Outside Water Users, Town of Westminster, Water Department vs. Town of Westminster, Water Department, be, and they hereby are, dismissed.

That this order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 30th day of October, 1952.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ELMER F. MAGEE, 1790 SO. )  
DECATUR, DENVER 19, COLORADO. )  
-----

PERMIT NO. B-3194

-----  
November 7, 1952  
-----

S T A T E M E N T

By the Commission:

On October 17, 1952, the Commission authorized Elmer F. Magee, Denver, Colorado, to suspend operations under his Permit No. B-3194 until April 16, 1953.

The Commission is now in receipt of a communication from the above-named permittee requesting that his permit be reinstated.

F I N D I N G S

THE COMMISSION FINDS:

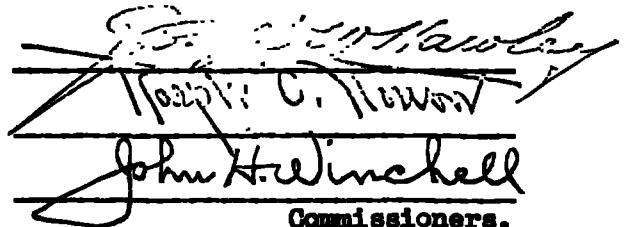
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-3194 should be, and the same hereby is, reinstated as of October 31, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 7th day of November, 1952.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
MARSHALL EDDINGS, MACK, ) PERMIT NO. B-2192  
COLORADO. )  
-----

-----  
November 7, 1952  
-----

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-2192 be suspended for six months from November 1, 1952.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

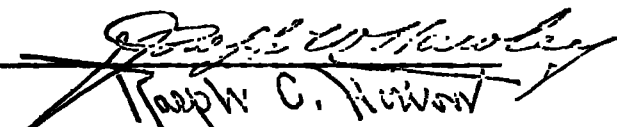

O R D E R

THE COMMISSION ORDERS:

That Marshall Eddings, Mack, Colorado, be, and he is hereby, authorized to suspend his operations under Permit No. B-2192 until May 1, 1953.

That unless said Marshall Eddings, Mack, Colorado, 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

  
\_\_\_\_\_  
  
Commissioners.

Dated at Denver, Colorado,  
this 7th day of November, 1952.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
BERT GARNELL, 10547 E. COLFAX, )  
AURORA 8, COLORADO. )  
-----

PERMIT NO. B-3009

-----  
November 7, 1952  
-----

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-3009 be suspended for six months from October 31, 1952.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

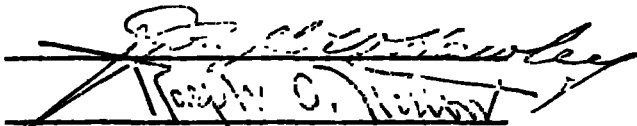

O R D E R

THE COMMISSION ORDERS:

That Bert Garnell, Aurora, Colorado, be, and he is hereby, authorized to suspend his operations under Permit No. B-3009 until April 30, 1953.

That unless said Bert Garnell, Aurora, Colorado, 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

  
\_\_\_\_\_  
  
Commissioners.

Dated at Denver, Colorado,  
this 7th day of November, 1952.  
mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
WILLIAM E. BAERG, 1509 WEST ) PERMIT NO. B-4426  
17th, PUEBLO, COLORADO. )  
-----

-----  
November 7, 1952  
-----

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-4426 be suspended for six months from October 9, 1952.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

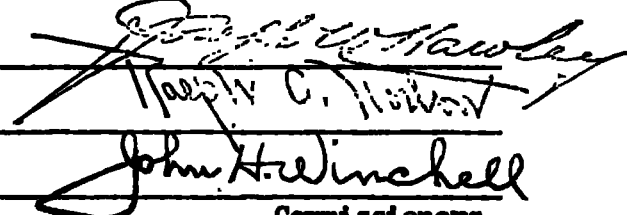
O R D E R

THE COMMISSION ORDERS:

That William E. Baerg, Pueblo, Colorado, be, and he is hereby, authorized to suspend his operations under Permit No. B-4426 until April 9, 1953.

That unless said William E. Baerg, Pueblo, Colorado, 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

  
Commissioners.

Dated at Denver, Colorado,  
this 7th day of November, 1952.

original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF  
WESTERN SLOPE GAS COMPANY, A COLO-  
RADO CORPORATION, FOR AN ORDER  
AUTHORIZING AND APPROVING THE  
ISSUANCE AND SALE OF 50,000 SHARES  
OF COMMON STOCK TO THE PUBLIC  
SERVICE COMPANY OF COLORADO, A  
COLORADO CORPORATION.

APPLICATION NO. 12051--Securities

October 30, 1952

Appearances: Lee, Bryans, Kelly & Stansfield, Esqs.,  
Denver, Colorado, for applicant;  
W. George Denny, Jr., Denver, Colo-  
rado, and  
William T. Secor, Esq., Denver,  
Colorado, for the Commission.

STATEMENT

By the Commission:

Pursuant to Sub-Section (c) of Section 3, Chapter 137,  
1935 Colorado Statutes Annotated, as amended, Western Slope Gas  
Company, a Colorado corporation, hereinafter called "Applicant,"  
filed with this Commission on October 9, 1952, its application,  
which application was amended by the filing on October 20, 1952  
of Amendment No. 1 thereto, and which application, as amended,  
prayed for an order of this Commission authorizing and approving  
the issuance and sale by the Applicant herein of 50,000 shares of  
its common stock, par value Ten Dollars (\$10.00) per share to the  
Public Service Company of Colorado, a Colorado corporation, at a  
price of Ten Dollars (\$10.00) per share.

By Decision No. 39504, dated October 14, 1952, this Com-  
mission ordered a public hearing upon the aforesaid application to be  
held October 24, 1952 at ten o'clock A. M., 330 State Office Building,  
Denver, Colorado. Interested parties, municipalities and other persons  
were notified and invited to intervene in the proceedings. Petitions of  
intervention were to be filed with this Commission on or before  
October 20, 1952.

The hearing on the instant application was held on October 24, 1952, after due notice to all interested parties as aforesaid, and the matter was heard and then taken under advisement.

No petitions of intervention were filed with the Commission prior to the hearing and no one appeared at the hearing in opposition to the granting by this Commission of the authority sought in the instant application.

Western Slope Gas Company is a wholly-owned subsidiary of Public Service Company of Colorado, and is a corporation organized and existing under and by virtue of the laws of the State of Colorado, with its principal place of business in the City and County of Denver, Colorado, its address being 900 Fifteenth Street, Denver, Colorado, and as such is authorized to do and is doing business in the State of Colorado. A certified copy of the Certificate of Incorporation of Applicant filed in the office of the Secretary of State of the State of Colorado on February 15, 1952, has heretofore been filed with this Commission as Exhibit "A" in respect to Applicant's Application No. 11801.

This Commission by its Decision No. 38959 dated July 15, 1952, granted to Applicant a Certificate of Public Convenience and Necessity to construct, install, maintain and operate a natural gas gathering and transmission system in the counties of Rio Blanco, Garfield and Mesa, State of Colorado, for the purchase, transmission and sale of natural gas therein.

William D. Virtue, a Vice-President of Applicant company, testified that pursuant to its Certificate of Public Convenience and Necessity, hereinabove referred to, Applicant has commenced the construction of a pipe line from Grand Junction, Colorado, northward approximately 60 miles to the Douglas Creek Unit Area in Rio Blanco County, which line is to connect with five various gas fields along the way. He testified that to date, the pipe line has been completed approximately 13 miles in length, to the Asbury Creek Field, and natural gas is now being delivered from this field to Public Service Company of Colorado at the city limits of Grand Junction for retail distribution in the City of Grand Junction

and areas adjacent thereto. The witness testified that the work is continuing on the pipe line north to other fields, and that the company anticipates that the pipe line to the Douglas Creek Field will be completed entirely by this time next year. Applicant's operations are wholly within the State of Colorado.

Under its Certificate of Incorporation heretofore referred to, the authorized capital stock of the Applicant consists of One Million Dollars (\$1,000,000.00), divided into 100,000 shares of common stock of the par value of Ten Dollars (\$10.00) per share. As of September 30, 1952, there were outstanding 10,000 shares of common stock, which stock had been issued to Public Service Company of Colorado at a price of Ten Dollars (\$10.00) per share, 2,000 shares having been issued to the said company on May 15, 1952, 3,000 shares on June 17, 1952, and 5,000 shares on September 5, 1952, all as shown by Applicant's Exhibit "A". In the instant application, Applicant seeks the ratification and approval of the issuance and sale of the said 10,000 shares of common stock outstanding as of September 30, 1952.

In addition thereto, Applicant herein seeks authority to issue and sell 40,000 additional shares of its common stock to the Public Service Company of Colorado at a price of Ten Dollars (\$10.00) per share, said shares to be issued from time to time in the future as may be needed for construction of the aforesaid transmission line.

Other than current liabilities, Applicant has no other outstanding indebtedness as of September 30, 1952. Included in Applicant's current liabilities are \$350,000 principal amount of short term promissory notes outstanding at September 30, 1952, which notes are held by Public Service Company of Colorado. Applicant's Exhibit "B" shows that as of September 30, 1952, there were outstanding the following short term promissory notes: One dated May 15, 1952 due November 14, 1952 in the amount of \$30,000, interest at 3 $\frac{1}{2}$ %; one dated August 25, 1952 due



February 25, 1953 in the amount of \$70,000, interest at 4%; and one dated September 5, 1952, due March 4, 1953 in the amount of \$250,000, interest at 4%.

The proceeds from the issuance and sale of the 10,000 shares of common stock and the \$350,000 short term promissory notes outstanding as of September 30, 1952, have been used to commence the construction and installation and to acquire property in connection therewith, of Applicant's natural gas gathering and transmission system in Western Colorado as described hereinabove. Proceeds from the issuance and sale of the additional 40,000 shares of common stock will be used in furtherance of the construction and installation of said natural gas gathering and transmission system including the acquisition of property in connection therewith.

Included hereinbelow is the balance sheet of Western Slope Gas Company as of September 30, 1952, as shown by the books of the company, and included therewith is a pro forma balance sheet of the said company as of the same date, giving effect to the issuance and sale of the 50,000 shares of common stock, authority for which is sought by the instant application:

<u>ASSETS</u>	<u>Actual</u> <u>As of Sept. 30, 1951</u>	<u>Pro Forma</u> <u>As of Sept. 30, 1952</u>
<b>CAPITAL ASSETS:</b>		
Plant, Property and Equip- ment, Including Intangibles at Book Values	\$126,521.02	\$126,521.02
Total Capital Assets -	\$126,521.02	\$126,521.02
<b>CURRENT ASSETS:</b>		
Cash in Bank	\$259,693.32	\$659,693.32
Cash in Office working Funds	200.00	200.00
Other Accounts and Notes Receivable:		
Goods in Transit	29,564.42	29,564.42
Subscriptions to Capital Stock	100,000.00	
Materials and Supplies - Utility - at Average Cost	54,143.64	54,143.64
Prepaid Expenses - Insurance, Taxes and other	100.00	100.00
Total Current Assets -	\$443,701.38	\$743,701.38
<b>TOTAL ASSETS -</b>	<b>\$570,222.40</b>	<b>\$870,222.40</b>
 <u>LIABILITIES</u>		
<b>CAPITAL STOCK</b>		
Common Stock		
Authorized 100,000 shares at par value of \$10 each		
Issued and Outstanding 10,000 shares	\$100,000.00	
50,000 shares		\$500,000.00
Capital Stock Subscription 10,000 shares	100,000.00	
Total Capital Stock -	\$200,000.00	\$500,000.00
<b>CURRENT LIABILITIES</b>		
Payables to Associated Company		
Notes Payable	\$350,000.00	\$350,000.00
Accounts Payable	18,288.97	18,288.97
Accrued Interest on Other Debt	1,395.98	1,395.98
Other Accrued Liabilities	417.45	417.45
Total Current Liabilities -	\$370,102.40	\$370,102.40
<b>RESERVES:</b>		
Depreciation	120.00	120.00
<b>TOTAL LIABILITIES -</b>	<b>\$570,222.40</b>	<b>\$870,222.40</b>

## FINDINGS

### THE COMMISSION FINDS:

That Applicant, Western Slope Gas Company, is a public utility as defined in Section 3, Chapter 137, 1935 Colorado Statutes Annotated, as amended.

That this Commission has jurisdiction over this application and the subject matter of the petition herein.

That this Commission is fully advised in the premises.

That the issuance and sale by the Applicant of the 10,000 shares of its common stock outstanding as of September 30, 1952 were, and the issuance by the Applicant of the 40,000 additional shares of its common stock as proposed herein, are reasonably required and necessary for the proper corporate financing of Western Slope Gas Company.

That the issuance and sale by the Applicant company of 10,000 shares of its common stock outstanding as of September 30, 1952 and the proposed issuance of the 40,000 additional shares of its common stock are not inconsistent with the public interest, and the purpose, or purposes, thereof are permitted and are consistent with the provisions of Chapter 137, 1935 Colorado Statutes Annotated, as amended.

That the order sought should be issued and should be made effective forthwith.

## ORDER

### THE COMMISSION ORDERS:

That the issuance and sale by Western Slope Gas Company of 10,000 shares of its common stock, with a par value of Ten Dollars(\$10.00) per share at a price of Ten Dollars (\$10.00) per share to the Public Service Company of Colorado, outstanding as of September 30, 1952, including the issuance and sale of 2,000 shares to the said company on May 15, 1952, 3,000 shares to the said company on June 17, 1952, and 5,000 shares to the said company on September 5, 1952, be, and it hereby is, ratified and approved.

That the application of the proceeds received from the issuance and sale of the said 10,000 shares of common stock of Western Slope Gas Company outstanding as of September 30, 1952, for commencement of construction, installation, and acquisition of property in connection therewith,



of Applicant's natural gas gathering and transmission system, be, and it hereby is, ratified and approved.

That Western Slope Gas Company be, and it hereby is, authorized to issue and sell an additional 40,000 shares of its common stock, with a par value of Ten Dollars (\$10.00) per share to Public Service Company of Colorado at a price of Ten Dollars (\$10.00) per share, said shares to be issued from time to time in the future as may be needed for construction and completion of the aforesaid transmission system.

That Applicant be, and it hereby is, authorized to use the proceeds received from the sale of said 40,000 additional shares of common stock for the construction, installation, and acquisition of property in connection therewith of Applicant's aforesaid natural gas gathering and transmission system.

That Western Slope Gas Company shall make a verified report to the Commission not later than thirty (30) days after the issuance and sale of said common stock as said common stock is issued and sold to Public Service Company of Colorado, said report to set forth the certificate numbers representing shares issued and the date of issuance, and the price per share.

That Western Slope Gas Company, upon final issuance of the 40,000 additional shares of common stock herein authorized shall make a verified report to the Commission not later than ninety (90) days thereafter, stating the total monies received therefrom and, in detail, the expenses incident to such sale or sales, accompanying the same with copies of the entries recorded on the books of the Applicant 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 the common stock authorized hereunder on the part of the State of Colorado.

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



That the authority herein granted shall be authorized from  
and after this date, this Order being hereby made effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
*Ralph W. Hawley*  
*Ralph C. Hobart*  
*John H. Hinchel*  
Commissioners.

Dated at Denver, Colorado,  
this 30th day of October, 1952.

ee

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
SCHMIDT CONSTRUCTION CO., BOX )  
66, GRAND JUNCTION, COLORADO. )  
-----

CASE NO. 995-R  
(Permit No. C-25869)

-----  
November 5, 1952  
-----

S T A T E M E N T

By the Commission:

On October 27, 1952, in Case No. 995-R, the Commission entered an order revoking Permit No. C-25869 for failure to file monthly road tax reports of the months of May, June, July and August, 1952.

These delinquent reports have now been filed within the 5-day period of grace allowed in the order, and the permit should be reinstated.

F I N D I N G S

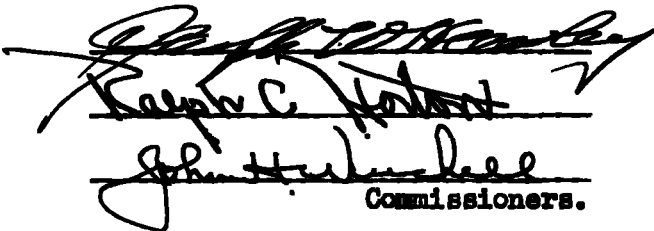
After careful consideration of the record and the files, the Commission is of the opinion, and finds, that our revocation order entered in Case No. 995-R should be cancelled and set aside, and said Permit No. C-25869 restored to its former status.

O R D E R

THE COMMISSION ORDERS:

That revocation order entered on October 27, 1952, in Case No. 995-R should be, and it hereby is, cancelled and set aside, and said Permit No. C-25869 restored to its former status as of October 27, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 5th day of November, 1952.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ALSIDE, INC., 1415 WEST )  
WATERLOO ROAD, AKRON, OHIO. )  
-----

CASE NO. 964-R  
(Permit No. C-25658)

-----  
November 5, 1952  
-----

S T A T E M E N T

By the Commission:

On October 27, 1952, in Case No. 964-R, the Commission entered an order revoking Permit No. C-25658 for failure to file monthly road tax reports for the month of June, 1952.

This report has now been filed within the 5-day period of grace allowed in the order, and the permit should be reinstated.

F I N D I N G S

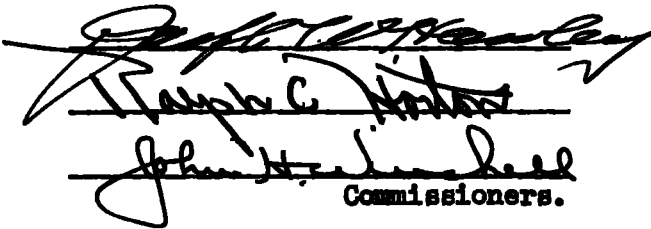
After careful consideration of the record and the files, the Commission is of the opinion, and finds, that our revocation order entered in Case No. 964-R should be cancelled and set aside, and said Permit No. C-25658 restored to its former status.

O R D E R

THE COMMISSION ORDERS:

That revocation order entered on October 27, 1952, in Case No. 964-R should be, and it hereby is, cancelled and set aside, and said Permit No. C-25658 restored to its former status as of October 27, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 5th day of November, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
FORT LUPTON RADIO AND ELECTRIC, )  
324 DENVER AVENUE, FORT LUPTON, )  
COLORADO. )  
-----)

CASE NO. 968-R  
(Permit No. C-25669)

-----  
November 5, 1952  
-----

S T A T E M E N T

By the Commission:

On October 27, 1952, in Case No. 968-R, the Commission entered an order revoking Permit No. C-25669 for failure to file monthly road tax reports for the months of May 1950 to August 31, 1952.

These delinquent reports have now been filed within the 5-day period allowed in the order and our action of October 27, 1952 should be reversed and the permit reinstated as of that date.

F I N D I N G S

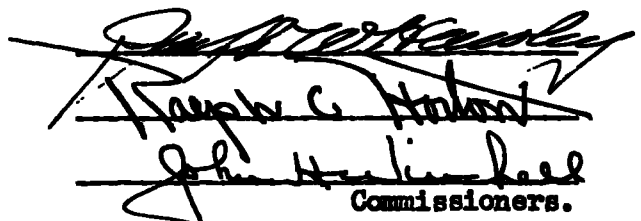
After careful consideration of the record and the files, the Commission is of the opinion, and finds, that our revocation order entered in Case No. 968-R should be cancelled and set aside, and said Permit No. C-25669 restored to its former status.

O R D E R

THE COMMISSION ORDERS:

That revocation order entered on October 27, 1952, in Case No. 968-R, should be, and it hereby is, cancelled and set aside, and said Permit No. C-25669 restored to its former status as of October 27, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 5th day of November, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
GERALD GEE, MANZANOLA, COLORADO. )  
-----)

CASE NO. 62988-INS.  
(Permit No. C-23679)

-----  
November 5, 1952  
-----

S T A T E M E N T

By the Commission:

On October 23, 1952, in Case No. 62988-Ins., the Commission entered an order revoking Permit No. C-23679 for failure to keep on file the required certificate of insurance.

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

F I N D I N G S

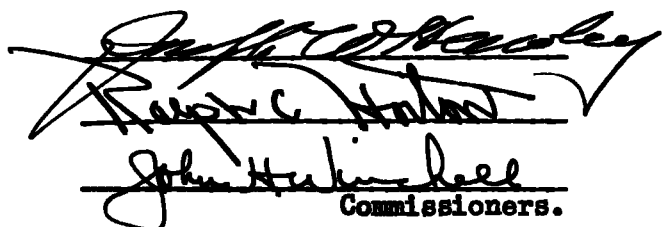
After careful consideration of the record and the files, the Commission is of the opinion, and finds, that our revocation order entered in Case No. 62988-Ins., should be cancelled and set aside, and said Permit No. C-23679 restored to its former status.

O R D E R

THE COMMISSION ORDERS:

That revocation order entered on October 23, 1952, in Case No. 62988-Ins., should be, and it hereby is, cancelled and set aside, and said Permit No. C-23679 restored to its former status as of October 23, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 5th day of November, 1952.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
MID-STATES TRAILER TRANSPORT, )  
INC., 1535 EAST 75TH STREET, )  
CHICAGO, ILLINOIS. )  
-----)

CASE NO. 62755-INS.  
(PUC No. 1741-I)

-----  
November 5, 1952  
-----

S T A T E M E N T

By the Commission:

On October 23, 1952, in Case No. 62755-Ins., the Commission entered an order revoking PUC-1741-I for failure to keep on file the required certificate of insurance.

Proper insurance has now been filed and was in effect without lapse, but through misunderstanding by the agent was not filed. Therefore, order of revocation should be set aside.

F I N D I N G S

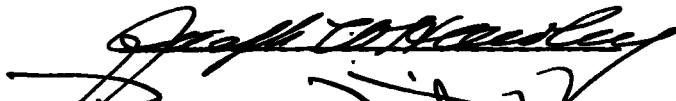

After careful consideration of the record and the files, the Commission is of the opinion, and finds, that our revocation order entered in Case No. 62755-Ins., should be cancelled and set aside, and said PUC-1741-I restored to its former status.

O R D E R

THE COMMISSION ORDERS:

That revocation order entered on October 23, 1952, in Case No. 62755-Ins., should be, and it hereby is, cancelled and set aside, and said PUC-1741-I restored to its former status as of October 23, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Ralph C. Johnson  
  
John W. Hinchel  
Commissioners.

Dated at Denver, Colorado,  
this 5th day of November, 1952.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
DONALD L. McCOMB, DOING BUSINESS )  
AS "CORTEZ ELECTRIC", 24 EAST )  
MAIN, CORTEZ, COLORADO. )  
-----)

CASE NO. 62868-INS.  
(Permit No. C-25719)

-----  
November 5, 1952  
-----

S T A T E M E N T

By the Commission:

On October 23, 1952, in Case No. 62868-Ins., the Commission entered an order revoking Permit No. C-25719 for failure to keep on file the required certificate of insurance.

Proper insurance filing was made without lapse on October 29th - six days after date of revocation order. Inasmuch as this apparently was neglect on the part of the agent, and as it is only one day over the 5-day period of grace allowed in the order, the revocation order should be set aside, and the permit should be reinstated.

F I N D I N G S

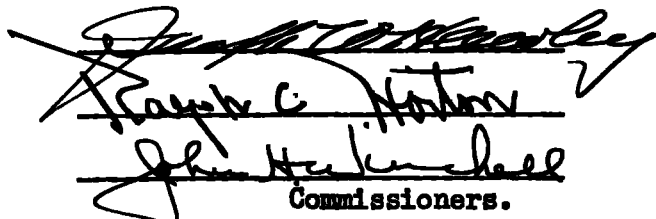
After careful consideration of the record and the files, the Commission is of the opinion, and finds, that our revocation order entered in Case No. 62868-Ins., should be cancelled and set aside, and said Permit No. C-25719 restored to its former status.

O R D E R

THE COMMISSION ORDERS:

That revocation order entered on October 23, 1952, in Case No. 62868-Ins., should be, and it hereby is, cancelled and set aside, and said Permit No. C-25719 restored to its former status as of October 23, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 5th day of November, 1952.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
GRAND VALLEY PIPELINE COMPANY, 307 )  
FIRST NATIONAL BANK BUILDING, DENVER, )  
COLORADO, FOR APPROVAL OF ASSIGNMENT )  
OF A PORTION OF CERTIFICATE OF PUBLIC ) APPLICATION NO. 10394-Transfer  
CONVENIENCE AND NECESSITY ISSUED IN )  
APPLICATION NO. 10394 TO "GRAND VAL- )  
LEY GAS COMPANY," 307 FIRST NATIONAL )  
BANK BUILDING, DENVER, COLORADO, AND )  
MODIFICATION OF SAID CERTIFICATE. )  
----- )

-----  
November 5, 1952  
-----

Appearances: Tippet, Haskell and Welborn, Esqs.,  
Denver, Colorado, for applicant;  
Lee, Bryans, Kelly and Stensfield, Esqs.,  
Denver, Colorado, for Public  
Service Company of Colorado;  
William Mason, Esq., Rifle, Colorado,  
for the Town of Rifle;  
W. George Denny, Jr., Denver, Colo-  
rado, and  
J. M. McNulty, Denver, Colorado,  
for the Commission.

S T A T E M E N T

By the Commission:

On December 29, 1949, an application was filed by the Grand Valley Gas Company, a partnership, for a certificate of public convenience and necessity for the construction and operation of a gas pipe line from the Piceance Creek Gas Field in Rio Blanco County to a paper pulp mill site near Newcastle, Garfield County, Colorado.

After due notice to interested parties, a hearing was held and the Commission issued its order on February 20, 1950, Decision No. 34290, granting the authority as requested. Subsequent to the granting of the original authority and as a result of an amended application and a re-hearing, a certificate was issued on January 26, 1951, Decision No. 36056, to the Grand Valley Pipeline Company granting authority to render the gas service to the paper pulp mill site and, in addition, to several towns, including Grand Junction in Mesa County, Colorado.

The pipe line was never constructed, and as a result of a separate application before the Commission by a different company, natural gas was brought to Grand Junction from another gas field with the result that the authority granted to the Grand Valley Pipeline Company as it pertained to the gas service in Grand Junction was no longer necessary.

On June 25, 1952, an application was filed with the Commission seeking to transfer the authority granted by Decision No. 36056 to the Grand Valley Gas Company to render service from the Piceance Gas Field to the paper pulp mill site near Newcastle but eliminating the service to Grand Junction.

This matter, after due notice to all interested parties, was set for hearing, and heard, by the Commission on July 29, 1952, and taken under advisement.

Applicant agreed to file a financial statement of the partnership of the Grand Valley Gas Company as a late filed exhibit, and the Commission has been holding its final order in abeyance, pending the receipt of said exhibit.

The Commission on October 31, 1952, received a communication from the Grand Valley Pipeline Company, acting by and through its attorneys, withdrawing its request for approval of assignment of the certificate in Application No. 10394, filed on June 25, 1952. The request of applicant obviates the necessity of any further orders of the Commission other than action on the requested withdrawal.

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

##### THE COMMISSION FINDS:

That the request of the Grand Valley Pipeline Company for withdrawal of its request for approval of assignment filed with the Commission on June 25, 1952, should be granted.

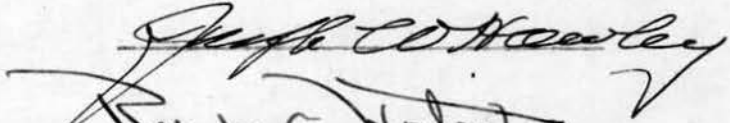
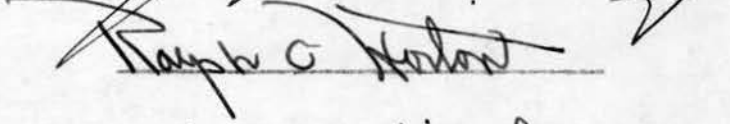
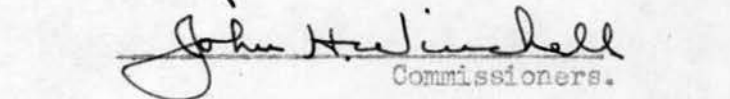
#### O R D E R

##### THE COMMISSION ORDERS:

That the request of the Grand Valley Pipeline Company for the withdrawal of its request for approval of assignment filed with the Commission on June 25, 1952, be, and it hereby is, granted.

That this order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 5th day of November, 1952.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JEROME CLAY, DOING BUSINESS AS )  
"JERRY CLAY TRUCKING CO.," BOX )  
576, GRANBY, COLORADO. )  
-----

PERMIT NO. A-4280

-----  
November 12, 1952  
-----

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-4280 be suspended for six months from November 5, 1952.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

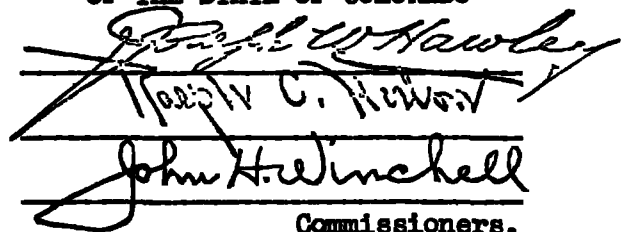
O R D E R

THE COMMISSION ORDERS:

That Jerome Clay, doing business as "Jerry Clay Trucking Co.," Granby, Colorado, be, and he is hereby, authorized to suspend his operations under Permit No. A-4280 until May 5, 1953.

That unless said Jerome Clay, doing business as "Jerry Clay Trucking Co.," Granby, Colorado, 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

  
Commissioners.

Dated at Denver, Colorado,  
this 12th day of November, 1952.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
EDD BAILEY, CANON, TEXAS. )

PERMIT NO. C-27254

November 12, 1952

S T A T E M E N T

By the Commission:

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

Edd Bailey

requesting that Permit No. C-27254.....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-27254....., heretofore issued to.....

Edd Bailey

be,

and the same is hereby, declared cancelled effective June 23, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph C. Newton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 12th day of November, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
IVAN SMITH, BOX 387, )  
GEORGETOWN, COLORADO. )  
)  
)  
)

PERMIT NO. C-22241

November 12, 1952

S T A T E M E N T

By the Commission:

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

Ivan Smith

requesting that Permit No. C-22241.....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:

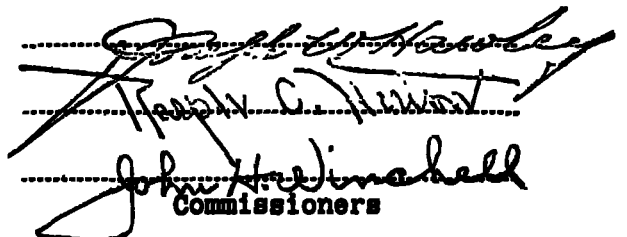
That Permit No. C-22241....., heretofore issued to.....

Ivan Smith

be,

and the same is hereby, declared cancelled effective October 27, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,

this 12th day of November, 1952.

mls

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

• • • •

RE MOTOR VEHICLE OPERATIONS OF )  
PRESTON HAWKINS, DEL NORTE, )  
COLORADO. )

**PERMIT NO. C-28062**

**November 12, 1952**

## STATEMENT

**By the Commission:**

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

**Preston Haskins**

requesting that Permit No. C-28062 be cancelled.

## FINDINGS

**THE COMMISSION FINDS:**

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:**

That Permit No. C-28062....., heretofore issued to.....

## Preston Hawkins

.be,

**and the same is hereby, declared cancelled effective October 11, 1952.**

**THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

## Commissioners

**Dated at Denver, Colorado,**

**this 12th day of November, 1952.**

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JAMES H. FARMER, RT. 1, BOX )  
3, PLATTEVILLE, COLORADO. )  
 ) PERMIT NO. C-11206  
 )  
 )  
 )  
----- )

-----  
November 12, 1952  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
James H. Farmer-----  
requesting that Permit No. C-11206 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-11206, heretofore issued to-----  
James H. Farmer-----be,  
and the same is hereby, declared cancelled effective October 29, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Robert W. Hawley*  
*Raeely C. Hinton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,  
this 12th day of November, 1952.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
HAROLD C. FULLER, DOING )  
BUSINESS AS "GLORY MEAT CO.," )  
1527 BLAKE ST., DENVER 2, ) PERMIT NO. C-29440  
COLORADO. )  
----- )

-----  
November 12, 1952  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Harold C. Fuller, dba "Glory Meat Co."-----  
requesting that Permit No. C-29440 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-29440, heretofore issued to-----  
Harold C. Fuller, dba "Glory Meat Co."-----be,  
and the same is hereby, declared cancelled effective September 29, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
*W. J. Hawley*  
*Harold W. C. Horton*  
*John H. Winchell*  
-----  
Commissioners

Dated at Denver, Colorado,  
this 12th day of November, 1952.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
N. A. PALMER, 1418 17TH ST., )  
GREELEY, COLORADO. )

PERMIT NO. C-28814

November 12, 1952

S T A T E M E N T

By the Commission:

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

N. A. Palmer

requesting that Permit No. C-28814 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-28814, heretofore issued to.....

N. A. Palmer

be,

and the same is hereby, declared cancelled effective October 29, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph C. Hawley*  
*Joseph C. Hawley*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 12th day of November, 1952.

mls

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

◆ ◆ ◆ ◆

RE MOTOR VEHICLE OPERATIONS OF )  
GEORGE D. SHEESLEY, 2424 EAST )  
MONUMENT, COLORADO SPRINGS, )  
COLORADO. )

**PERMIT NO. C-28804**

**November 12, 1952**

## STATEMENT

**By the Commission:**

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

**George D. Sheesley**

requesting that Permit No. C-28804 be cancelled.

## FINDINGS

**THE COMMISSION FINDS:**

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:**

That Permit No. C-28804, heretofore issued to.....

**George D. Sheesley** ..... be.

and the same is hereby, declared cancelled effective September 22, 1952.

**THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

## Commissioners

**Dated at Denver, Colorado,**

**this 12th day of November, 1952.**

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ARMOUR & COMPANY, UNION )  
STOCKYARDS, CHICAGO, ILLINOIS. )  
 ) PERMIT NO. C-28032  
 )  
 )  
 )  
-----

-----  
November 12, 1952  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
-----Armour & Company-----  
requesting that Permit No. C-28032 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-28032, heretofore issued to-----  
-----Armour & Company-----be,  
and the same is hereby, declared cancelled effective November 5, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
Joseph W. Hawley  
Ralph C. Horton  
John H. Winchell  
Commissioners

Dated at Denver, Colorado,  
this 12th day of November, 1952.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
WADE H. BANE, 12 WEST 6TH, LA )  
JUNTA, COLORADO. )  
 ) PERMIT NO. C-28589  
 )  
 )  
 )

-----  
November 12, 1952  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Wade H. Bane-----  
requesting that Permit No. C-28589-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

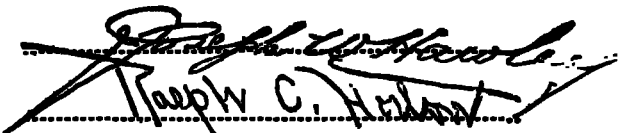

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-28589-----, heretofore issued to-----  
Wade H. Bane-----be,  
and the same is hereby, declared cancelled effective September 29, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
-----  
Ralph C. Anderson  
  
-----  
John H. Winchell  
Commissioners

Dated at Denver, Colorado,  
this 12th day of November, 1952.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
DARREL HARKINS, P. O. BOX 987, )  
HEREFORD, TEXAS. )

PERMIT NO. C-28403

November 12, 1952

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Darrel Harkins.....  
requesting that Permit No. C-28403.....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-28403....., heretofore issued to.....  
Darrel Harkins.....be,  
and the same is hereby, declared cancelled effective October 11, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
*Joseph W. Hawley*  
*Ralph W. C. Newton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,  
this 12th day of November, 1952.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
MOSES BRUNKER, BRUSH, )  
COLORADO. )  
)  
)  
)  
)  
)  
-----

PERMIT NO. C-27985

-----  
November 12, 1952

S T A T E M E N T

By the Commission:

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

-----  
Moses Brunker  
-----

requesting that Permit No. C-27985 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-27985, heretofore issued to-----

-----  
Moses Brunker  
----- be,

and the same is hereby, declared cancelled effective September 18, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
\_\_\_\_\_  
*Ralph W. C. Nelson*  
\_\_\_\_\_  
*John H. Winchell*  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,

this 12th day of November, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JESUS CASTILLO, 343 WEST MAIN, )  
MONTROSE, COLORADO. )

PERMIT NO. C-29989

December 29, 1952.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Jesus Castillo  
requesting that Permit No. C-29989.....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-29989....., heretofore issued to.....  
Jesus Castillo.....be,  
and the same is hereby, declared cancelled effective December 9, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*W. C. Norton*  
*J. H. Winchel*  
Commissioners

Dated at Denver, Colorado,

this 19th day of December, 1952.  
mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ROBERT S. HENDRICKS, 722½ 23RD )  
ST., DENVER 2, COLORADO. )

PERMIT NO. C-27804

November 12, 1952

S T A T E M E N T

By the Commission:

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

Robert S. Hendricks

requesting that Permit No. C-27804 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-27804, heretofore issued to.....

Robert S. Hendricks be,

and the same is hereby, declared cancelled effective October 20, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph C. Hewson*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 12th day of November, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
AL HOBSON, 7610 West 5th Ave., )  
LAKEWOOD, COLORADO. )  
 )  
 )  
 )  
 )

PERMIT NO. C-23704

-----  
November 12, 1952  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
-----  
Al Hobson  
-----  
requesting that Permit No. C-23704 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-23704, heretofore issued to-----  
-----  
Al Hobson be,  
and the same is hereby, declared cancelled effective September 22, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Winchell*  
*Joseph W. C. Hobson*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,  
this 12th day of November, 1952.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
LELAND BOTKIN, FRUITA, )  
COLORADO. )

PERMIT NO. C-18813

November 12, 1952

S T A T E M E N T

By the Commission:

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

Leland Botkin

requesting that Permit No. C-18813 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-18813, heretofore issued to.....

Leland Botkin

be,

and the same is hereby, declared cancelled effective October 31, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Robert C. Newson*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 12th day of November, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
CHRIS TRUJILLO, BOX 494, )  
CENTER, COLORADO. )  
 ) PERMIT NO. C-20424  
 )  
 )  
 )  
-----

-----  
November 12, 1952

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Chris Trujillo-----  
requesting that Permit No. C-20424 be cancelled.

F I N D I N G S

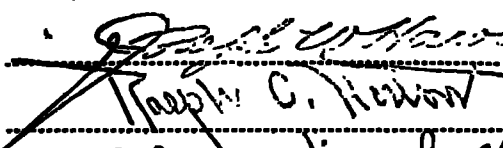
THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20424, heretofore issued to-----  
Chris Trujillo-----be,  
and the same is hereby, declared cancelled effective October 31, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
  
\_\_\_\_\_  
John H. Winchell  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,  
this 12th day of November, 1952.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
GOOD-ALL ELECTRIC MFG. CO., )  
112 WEST FIRST ST., OGALLALA, )  
NEBRASKA. ) PERMIT NO. C-28247  
 )  
 )  
----- )

-----  
November 12, 1952  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
----- Good-All Electric Mfg. Co.-----  
requesting that Permit No. C-28247 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-28247, heretofore issued to-----  
----- Good-All Electric Mfg. Co.----- be,  
and the same is hereby, declared cancelled effective November 3, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
-----  
Harold C. Neway  
-----  
John H. Winchell  
-----  
Commissioners

Dated at Denver, Colorado,  
this 12th day of November, 1952.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ERNEST CINK, ESTES PARK, )  
COLORADO. )  
 )  
 ) PERMIT NO. C-16646  
 )  
 )  
 )  
-----

-----  
November 12, 1952  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Ernest Cink-----  
requesting that Permit No. C-16646 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-16646, heretofore issued to-----  
Ernest Cink-----be,  
and the same is hereby, declared cancelled effective November 1, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*[Handwritten signatures]*  
\_\_\_\_\_  
John H. Winchell  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,  
this 12th day of November, 1952.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JOE ROBINSON, JR., 377 W. )  
ALAMO, LITTLETON, COLORADO. )  
 ) PERMIT NO. C-16806  
 )  
 )  
 )  
-----

-----  
November 12, 1952  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
----- Joe Robinson, Jr. -----  
requesting that Permit No. C-16806 ----- be cancelled.

F I N D I N G S

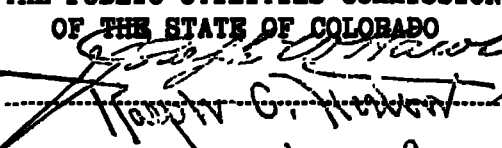
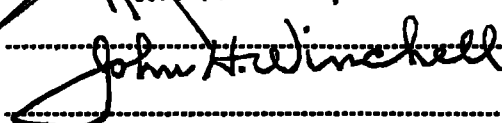
THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-16806 -----, heretofore issued to-----  
----- Joe Robinson, Jr. ----- be,  
and the same is hereby, declared cancelled effective October 31, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
  
  
-----  
Commissioners

Dated at Denver, Colorado,  
this 12th day of November, 1952.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
EDWARD D. MARTIN AND MAXINE V. )  
MARTIN, CO-PARTNERS, DOING BUSINESS )  
AS "MARTIN TRUCK LINES," LA SALLE, )  
COLORADO, FOR AN EXTENSION OF THEIR )  
CERTIFICATED RIGHTS REPRESENTED BY )  
CERTIFICATE OF PUBLIC CONVENIENCE )  
AND NECESSITY NUMBER PUC-528. )  
----- )

APPLICATION NO. 11880-Extension

IN THE MATTER OF THE APPLICATION OF )  
FRED REIN, JR., DOING BUSINESS AS )  
"REIN MILK TRANSPORT," 4401 VINE )  
STREET, DENVER, COLORADO, FOR AN )  
EXTENSION OF CERTIFICATE OF PUBLIC )  
CONVENIENCE AND NECESSITY NUMBER )  
PUC-454. )  
----- )

APPLICATION NO. 11881-Extension

-----  
November 5, 1952  
-----

Appearances: E. B. Evans, Esq., Denver,  
Colorado, for Fred Rein, Jr.,  
doing business as "Rein  
Milk Transport;"  
Worth Allen, Esq., Denver,  
Colorado, for Edward D. and  
Maxine V. Martin, doing busi-  
ness as "Martin Truck Lines;"  
John R. Barry, Esq., Denver,  
Colorado, for Alexander Naeb.

S T A T E M E N T

By the Commission:

By Application No. 11880-Extension, filed with the Commission April 30, 1952, Edward D. and Maxine V. Martin, co-partners, doing business as "Martin Truck Lines," seek an extension of the authority under their Certificate of Public Convenience and Necessity No. 528 to authorize the transportation of milk and cream to Denver and points within a five-mile radius thereof, Fort Lupton and Brighton, from the following described territory:



Beginning at the Northwest corner of Section Seven (7), Township Two (2) North, Range Sixty-five (65) West of the Sixth (6th) P. M. in Weld County, Colorado; thence South Six (6) miles to the Northwest corner of Section seven (7), Township One (1), same range; thence in a Southeasterly direction to the Southeast corner of said Section Seven (7); thence South Four (4) miles to the Southwest corner of Section Thirty-two (32), Township One (1), same range; thence East Five (5) miles to the Southeast corner of Section Thirty-six (36), same township and range; thence North One (1) mile to the Northeast corner of said Section Thirty-six (36); thence East Three (3) miles to the Southeast corner of Section Twenty-six (26), same township, Range Sixty-four (64) West; thence North One (1) mile to the Northeast corner of said Section Twenty-six (26); thence East Two (2) miles to the Southeast corner of Section Twenty-three (23), same township and range; thence North Six (6) miles to the Southeast corner of Section Twenty-three (23), Township Two (2) North, same range; thence West Five (5) miles to the Southwest corner of Section Nineteen (19), same township and range; thence North Four (4) miles to the Southwest corner of Section Thirty-one (31), Township Three (3), same range; thence West Three (3) miles to the Southwest corner of Section Thirty-four (34), same township, Range Sixty-five (65); thence South One (1) mile to the Southeast corner of Section Four (4), same township and range; thence West Three (3) miles to the point of beginning.

By Application No. 11881-Extension, filed with the Commission May 26, 1952, Fred Rein, Jr., doing business as "Rein Milk Transport," seeks an extension of the authority under his Certificate of Public Convenience and Necessity No. 454 to transport milk and cream from points in the following territory to Denver, Colorado, to-wit:

Commencing at the southwest corner of Section 18, Township 3 North, Range 64 West; thence north to the southwest corner of Section 19, Township 5 North, Range 64 West; thence west to the southwest corner of Section 21, Township 5 North, Range 66 West; thence north to the southwest corner of Section 4, Township 5 North, Range 66 West; thence west to the southwest corner of Section 1, Township 5 North, Range 67 West; thence in a southwesterly direction to a point on the south line of Section 10, Township 5 North, Range 67 West, which is approximately 1320 feet west of the southeast corner of said Section 10; thence West to the northwest corner of Section 13, Township 5 North, Range 69 West; thence in a southerly direction along U. S. Highway 85 to the south line of Section 34, Township 4 North, Range 69 West; thence east to the southeast corner of Section 36, Township 4 North, Range 67 West; thence south to the west quarter corner of Section 7, Township 2 North, Range 66 West; thence in a southeasterly direction to the southeast corner of Section 36, Township 2 North, Range 66 West; thence north to the southwest corner of Section 18, Township 3 North, Range 65 West; thence east to the place of beginning.

After due notice to all parties in interest, the above applications were set for hearing, and heard, in the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, at ten o'clock A. M., on August 7, 1952.

When the above-entitled applications were called for hearing on August 7, 1952, by agreement of counsel for both applicants, the matters were consolidated for hearing.

At the hearing, a great deal of controversial testimony was introduced by both applicants.

Merle C. Stotts, who farms 160 acres southeast of Hudson, Colorado, in Section 13, Township 1 North, Range 65 West, testified that he had previously been served by Martin at Mead, Colorado, for three years; that in January, 1952, Rein began to serve him; that at first the service was fair, but later became so poor that he called the Commission and complained; that his milk was not picked up on Monday, April 21, but was picked up at 3:00 P. M. on Tuesday, April 22; that the regular time for pickup was between 8:00 and 8:30 A. M.; that many times his cans were returned muddy; that he had found manure in the empty cans returned; that he had been prohibited in making shipments into the Denver territory while Rein was hauling for him because of foreign material in the milk; that he had been served written notice by the Denver Health Department on two different occasions; that Rein called on him personally after the Martin petition had been filed and said he would pay for the loss, but didn't; that Rein's drivers spilled milk in loading; that at times the truck had no back door and cans were exposed to dust and sun; that he had sold his cows, but would go back into business if he could get better service; that he never had to wash the cans when served by Martin; that on two occasions he had had to wash the cans when served by Rein; that he had signed a petition seeking service by Martin. On cross-examination, he testified that, when he sold his 26 cows, two of them were suffering from mastitis, a disease in a cow's udder; that he couldn't make Grade A with his milk with that kind of trucking service; that the bacteria count was high partly due to mastitis;

that he had a six can cooler, but was shipping only 8 cans, two of them had to be set outside of the cooler.

George Anderson, a dairy farmer, two miles north and six miles east of Fort Lupton, testified that he was shipping by Rein and identified Exhibits 2 and 2-A, consisting of two 10-gallon milk cans which he testified had been returned to him by Rein in a muddy condition in April, because there were no back doors on the truck; that he had found it necessary to wash his empty cans two different days; that the pickups were not regular, being as late as 4:00 P. M., and as early as 8:00 A. M.; that milk was not picked up for two days during snow storms; that he hauled his own milk to Beatrice in Denver on two days; that Rein was paid for those two days and had not reimbursed him; that his empty cans were delivered on those occasions to Hudson, Colorado, six miles away; that Rein had been hauling his milk for three years; that he had lost his bonus one month, didn't know why; that there was a ditch next to the road into his place, but that the road was not washed out on one occasion when the milk truck was turned over; that for a period of time there was no back door on the truck.

By stipulation, both applicants amended their applications for extension to eliminate any territory presently authorized to be served by Mr. Naeb. Mr. Barry, counsel for Mr. Naeb, withdrew his protest.

Louis Meehl, a dairy farmer, living southeast of Hudson, testified that he was shipping milk by Rein; that empty cans were returned muddy; that there were new dents in the cans; that cans were dirty almost every day for two weeks in April and one week in May; that there was no service one day in April and one day last fall; that usual pickup time was 7:30 to 7:40 A. M., but the milk was picked up as late as 5:30 P. M.; that Rein's driver backed into hay trail and broke it; that he was never paid for the breakage; that Rein was paid on the days he did not haul the milk and that he was not reimbursed by Rein. On cross-examination, he testified that Rein came out to see him in early April, but there were no complaints at that time; that in May he complained of cans being beat up; that there had been three drivers since January; that he had found it necessary to wash empty cans at times.



Harvey Shearston, a dairy farmer, living two miles west, one mile south of Hudson, testified as to Rein's poor service until the last thirty days, after the Martin application was filed; that Rein's driver backed into a pickup and said he would pay, but delayed nine months in paying; that he had a high bacteria count in his milk because of careless handling; that he had lost eight cans, six of which showed up in thirty days; that he received one can to replace the two lost; that he would keep more cows, except for the poor service; that the pickup time varied from 8:00 A. M. to 4:30 P. M.; that he complained to Rein, but the service got worse.

Joseph P. Anato, a farmer living  $4\frac{1}{2}$  miles east of Fort Lupton on Highway 52, testified that he had shipped by Rein in 1944 and received good service; that he had resumed shipping by Rein in 1950 and at first the service was good, but had later become poor; that his empty cans were returned to him dirty; that pickup time varied from 10:00 A. M. to 5:30 P. M.; that he was forced to go to Hudson on two occasions to get his empties; that he had a good cooler; that his bacteria count was low; that he had been overcharged by Rein and had obtained a refund only after a threat to go to the PUC; that he changed to Martin in December, 1951.

Arthur Fuhlendorf, a milk producer, living a quarter of a mile west and a quarter of a mile north of Keenesburg, Colorado, testified that he used the Rein service to ship two to three cans a day to Beatrice in Denver; that he missed his bonus at times; that occasionally his empties were returned dirty with lids off and dented; that his empties were not always returned; that he owned ten cans, but they would on occasion all be away at one time; that drivers were not allowed to pickup until after 7:00 A. M., but they picked up from him as early as 6:15; that he didn't want to get out of bed at 3:00 A. M.; that his milk had been picked up as late as 4:00 P. M. on three or four occasions.

Henry M. Hillsten, living three miles east and  $1\frac{1}{2}$  miles north of Hudson, testified that he ships by Rein; that his milk was not picked up until noon April 1st; that on one occasion he cleaned his cans with acid, but in less than thirty days they were dirty again; that at times there were no back doors on the truck; that Rein's driver backed into the roof of his milk house and tore shingles loose; that after the Martin

petition was filed Rein had the roof fixed; that he was short 14 empty cans on April 22, the driver had left them on the truck; that they were returned at 5:30 the next morning.

Edward E. Hansen, who lives two miles east and one mile north of Hudson, testified that he shipped by Rein; that pickups were varied from 6:15 A . M. to as late as 1:00 P. M.; that his returned empty cans were never clean; that dented lids were returned; that he had missed his bonus at times because of high bacteria count; that milk was picked up warm; that the pickup time was changed later; that he used the water cooler.

Lesley Burgess, who lives two miles north and  $6\frac{1}{2}$  miles east of Fort Lupton, testified that he ships by Rein; that the service had been regular the last couple of months; that at times the empty cans had been returned dirty and with bent lids; that the truck bodies on Rein's trucks were in bad condition, a bottom board missing in one of the trucks and the doors were loose.

William Birkle, Platteville, Colorado, ships by Martin and had shipped by Martin since February, 1946; that the service was satisfactory and the only time he had been missed was in the blizzard of 1949.

George Strauch, Platteville, Colorado, who lives one-half mile north and one-half mile west of Platteville, testified that he is a milk producer and has shipped by Martin for the last six years; that he never received better service than from Martin.

Fred Simpson, who lives 4 miles northwest of Platteville, Colorado, testified that he ships by Martin and has done so for the last 6 years and has received excellent service and has never missed a day.

Chester Wallo, who lives 2 miles west of Platteville, Colorado, testified that he shipped by Martin and has done so for the past  $2\frac{1}{2}$  years and at a previous period he shipped by Martin; that he has always received excellent service.

Joseph Schick, Keenesburg, Colorado, testified that he is milking 18 cows; that he ships to Beatrice by Rein and has been shipping by Rein for 4 years; that his service is okay and didn't believe anyone else could do better; that there have been at times some delays due to acts of God, etc.;

that a dairy farmer should have a ten-can cooler if he is shipping an average of six cans a day; that he had been cut down to No. 2 milk four times in the last two years; that low grading of milk was the fault of farmers and not of the truckers; that the dairy farmers were merely trying to pass the buck.

Harold J. Barnum, Chief of the Milk Sanitation Division for the City and County of Denver, testified from the records of his Department that milk received from Merle C. Stotts in 1952 had had a bacteria count ranging from 10,000 to 2,400,000, high white cell count; that an inspection of Stotts' dairy farm had disclosed improperly cleaned utensils, improper cooling, outside contamination; that the farm inspection on January 4 was reported satisfactory. On April 23, reports show doors should be self-closing.

His records show as to Harvey Shearston in 1952, the bacteria count satisfactory each month. The farm inspection record November 9, 1951, shows he was excluded from the market for failure to correct violation. Later returned to the market December 3, 1951. Ceiling in milk barn needs painting. March 11, 1952, doors should be self-closing. Violation, walls and ceilings need painting and cleaning. Manure not removed.

Records show that Arthur Fuhlendorf's bacteria count in 1952 from 10,000 to 50,000. Farm inspection November 26, 1951, violations--windows dirty and floor not clean. Walls and ceiling need paint, etc. April 9, 1952, not corrected. Further violation--excluded from market. April 16, corrected, re-admitted.

Records show as to George Anderson, bacteria count in 1952 ranging from 10,000 to 200,000. Farm inspection December 12, 1951, one violation, collection of milk stone. April 10, 1952, windows need cleaning, painting needed.

J. W. Bergstrom, Fort Lupton, Colorado, milk producer, testified that he has a herd of 30 dairy cows; that he ships to Carlson-Frink by Rein; that he has used Rein's service for over eleven years; that he never has had any trouble; that he once had a milk route of his own which he sold to Rein in 1938; that he was approached by Martin to sign a petition requesting Martin's service, but did not sign.



A. W. Glover, living 6 miles east and 2 miles south of Platteville, Colorado, testified that he is a dairy farmer with 40 cows; that he ships 12 cans on the average to Lucerne by Rein and receives good service; that he previously used Martin's service and had a great deal of trouble over can lids when Martin was serving him; that in his opinion there is no need for additional carriers in his territory; that he had complained to Ken Martin about the lids and the rates without relief; that he hadn't lost can lids and the sediment tests were better since using Rein's service.

Dewey Norfleet, living 4 miles north and 5 miles east of Fort Lupton, testified that he is shipping milk to Carlson-Frink by Rein; that he has shipped milk to Carlson-Frink by Rein for the past  $5\frac{1}{2}$  years; that the service is good and there is no need for additional service.

Roy Nichol, living 4 miles north and 8 miles east of Fort Lupton, Colorado, testified that he is milking 25 cows; that he has used Rein's service for 12 or 14 years to Brighton; that he is now averaging 4 to 6 cans a day; that the service is satisfactory and there is no need for additional carriers; that he has lived on the same farm for the past 18 years; that the roads are fair, but impassable at times in the winter; that Rein missed one day last winter.

Ernest Glover, a dairy farmer living  $5\frac{1}{2}$  miles north and 6 miles east of Fort Lupton, Colorado, testified that he has a herd of 16 cows; that he ships to Carlson-Frink by Rein and receives good service; that he has had no complaints on the service he has received for the past several years.

Dean Campbell, living 4 miles north and 7 miles east of Fort Lupton, Colorado, testified he is milking 6 cows; that he has used Rein's service for the past 10 years; that the service is okay; that he has had no difficulty because of the transportation service and there is no need for an additional carrier.

Everett Nichols, living  $4\frac{1}{2}$  miles north and 7 miles east of Fort Lupton, Colorado, testified that he milks 18 cows; that he has shipped to Brighton by Rein for the past 10 years; that he has had no difficulties over transportation and that there is no need for additional carriers.

Edward Muse, living 4 miles north and 5 miles east of Fort Lupton, Colorado, testified that he has 12 cows; that he has shipped to Carlson-Frink by Rein for the past 8 years; that he has had no difficulty; that the service has been satisfactory; that there is no need for additional carriers.

Marion Reynolds, living 7 miles east and  $1\frac{1}{2}$  miles north of Fort Lupton, Colorado, testified that he had previously shipped milk by Rein to Brighton, but had quit shipping March 1, 1952; that he has no cows at present; that he had worked for Rein as a driver in April, 1952, but was not driving for him now; that Rein's service was okay and that there was no need for additional carriers; that the service on Rein's milk route was regular when he was driving extra; that it was muddy in April; that he got stuck in the mud on two occasions and needed a tractor to pull him out; that he recognized the cans, Exhibits 2 and 2-A; that he had returned the cans to Anderson; that on that date a cross link on a tire chain had broken and beat a hole in the front of the truck and threw mud on the cans on the return haul; that he had cleaned four cans, but hadn't cleaned all of them.

Alfred Norfleet, Fort Lupton, Colorado, testified that he was milking 7 cows and shipping to Carlson-Frink by Rein; that the service was okay; that there was no need for additional carriers.

Lloyd Glover, living  $4\frac{1}{2}$  miles north and 5 miles east of Fort Lupton, Colorado, testified that he had driven a milk truck for Rein since February 16, 1952; that Rein's service was good, except during a spell of bad weather in April and on one occasion when he tore out a throw-out bearing on the truck; that he himself had shipped milk by Rein for 6 years and had received good service; that he leaves home at 6:45 A. M. and is in Denver by 11:00 A. M.; that he waits at dairies in Denver from 2 to  $2\frac{1}{2}$  hours; that he meets Martin's trucks picking up when he is coming to town; that he had been late on some days, particularly when it was raining and when it was snowy.

Eugene Glover, living 5 miles east and 6 miles north of Fort Lupton, Colorado, testified that he is a dairy farmer milking 18 cows; that



he has been a driver for Rein since last May; that he himself used Rein's service for the past 5½ years in shipping to Carlson-Frink in Denver; that he was late once since he had been driving for Rein; that Rein's instructions to him were to deal fairly with the farmers; that he had occasionally spilled some milk when the roads were bad, but the roads were better now; that the schedule on his route was to Fort Lupton by 9:15 to 9:30 A. M., and to Denver by 11:00 A. M.; that there was no need for additional authority; that Rein's equipment was in good or average condition; that both Rein and Martin had authority where he lives.

Vernon Spayd, living 2 miles south of Hudson, Colorado, testified that he milks 15 cows; that he was in business with his father until 1938 and he himself took over in 1944; that he uses Rein's service to ship to Beatrice; that he had no complaint of the service; that there was no need for additional carriers.

Clayton Priest testified that he had worked for Rein for 6 years, one year as route foreman; that Rein has 67 customers in the area; that his trucks are on the average of two years old and have been approved by McCorkle of the City Health Department; that on the occasion when a tire chain pounded a hole in the floor of one of the trucks, it was repaired on the next day; that, when Stotts complained of a driver being drunk and walking on the cans with muddy feet, the driver was discharged; that Kenney Martin offered him \$10.00 for every customer on his route that he could take from Rein to Martin; that one truck starts before 7:00 A. M., the others start at 7:00 A. M.; that bad weather slows transportation; that some of the roads were so highly crowned that the tractor slipped into the ditch in attempting to pull the truck out; that the lane to Cross' place runs at an angle and there is no stubble to hold the sand; that it was impassable at times; that he had missed two days pick ups; that Cross delivered the milk to Martin by tractor.

Earl Young, Hudson, Colorado, operating Young Brothers Storage and Transfer Company, PUC No. 624, in Denver, testified that he is a dairy farmer; that he has used Rein's service for 5 years; that the service is good; that Kenneth Martin solicited his business in March and April and promised

better service; that no additional milk carrier service is needed in the territory; that he got out a team to break through drifts after the storm; that no one could have gotten through from April 21 to April 23, 1952.

Lloyd A. Cross, living 2 miles north and 6 miles east of Fort Lupton, Colorado, testified that Rein failed to pick up his milk 3 days, April 21, 22 and 23, 1952; that he called Martin's driver and called the PUC office and was informed that Martin had no authority in his territory; that he hauled the milk over to Martin's territory in a pickup truck; that he made two trips in a GMC pickup truck; that it was impossible for the truck to slip into the ditch; that the road was good on April 21, 22, 23 and 24; that there was a little water from rain, but a solid road underneath; that the County had graveled the lane and there was only one bad spot where a little water stood; that he had never had to use a tractor to get out through the snow.

Harvey Shearston, recalled, testified that Rein's driver backed into his pickup truck; that no insurance inspector came out to look at it; that the fender was smashed, a light smashed, the top part of the grill and the hood were damaged; that in repairing it, second hand material was used and some of the parts were straightened; that no repair work was done, except where the damage was caused by Rein's driver; Mabrey Chevrolet Company in Fort Lupton did the work; that the truck was in the garage for 4 or 5 days.

Edward Chamberlain, Denver, Colorado, testified that he is an employee of the City and County of Denver in the Bureau of Health and Hospitals; that he is the Supervisor of dairy farm inspection; that no notice had ever been sent out to milk truckers forbidding front ventilation; that no other department would have sent out a notice without his knowledge; that truck inspection was under his charge and that he would know if a notice had been sent out; that he had inspected Rein's trucks.

Kenneth Martin testified as to his conversation in March, 1952 with Clayton Priest regarding hiring of men; that Priest asked if Martin was hiring any men; that Martin offered to pay him \$225.00 per month, which was the same rate he was getting from Rein; that Priest said he could swing

shippers from Rein to Martin and agreed to go to work in two weeks; that at a later conversation, Priest informed him that Rein had made him a foreman and he had decided not to change; that no bonus was ever offered or promised; that a driver formerly with Rein is now employed by Martin and is doing a good job, and all he needed was good supervision; that mud had never stopped Martin on their pickups, but snow had stopped them and everyone else; that his equipment was good and in the best possible shape; that he paid more money on routes for more cans now but didn't at the time he talked to Priest; that Rein had not charged the proper tariff at times, but that he had never called attention of the PUC enforcement department to errors and charges.

Mrs. Florence Halderman of the Lucerne Milk Company, Denver, Colorado; Marjorie Herrick of the Carlson-Frink Company, Denver, Colorado, and Louise Ella Wilson of the Beatrice Food Company, Denver, Colorado, were all called to testify as to shipments received at their respective dairies on various dates from customers of both Rein Milk Transport and Martin Truck Lines, indicating the days on which no milk shipments were received from certain dairy farmers and to the rates per 100 pounds charged to various shippers and deducted from their checks. They all testified that they had no personal knowledge of the distance to or the location of the respective dairy farms of any of the shippers and that they were governed on the rates they charged by the instructions given to them by Rein and Martin. They also testified that on some of the days when they showed no milk received from certain dairy farmers, that deliveries had been made to their docks too late to be dumped and had either been held to be dumped on the next succeeding day or were delivered to other dairies in Denver.

Edward D. Martin, co-partner in Martin Truck Lines, testified identifying the financial statement of Martin Truck Lines; that Mr. Cross brought milk to Dowdys to be brought to Denver--3 cans on April 22 and 3 cans on April 23, 1952; that Martin operates 7 routes and 9 trucks.

Kenneth Martin testified that he is the Manager of the Martin Truck Lines and identified Exhibit No. 1, being a map of the territory they serve; that he received a call from L. A. Cross in April, 1952 to



haul his milk and informed him that he would haul it if Cross would haul it into Martin's territory; that he had had many requests for service of Martin Truck Lines from shippers in Rein's territory; that he called on 42 shippers of Reins and all but 3 signed a petition for Martin's service; that he had seen a board about 6" by 4' long out of the bottom of one of Rein's trucks; that one door was off of one of the trucks in April, 1952; that dirt comes in at the rear of the truck; that holes at the top in the front help keep out the dust by back pressure; that he never failed to deliver milk the same day it was picked up; that he missed picking up one day from 3 or 4 shippers; that he usually delivered to Denver and was back home by 3:00 P. M., possibly an hour late when the roads were muddy; that the empty cans are returned the next day; that their trucks had turned over on three different occasions; that the cracks in the floor were repaired immediately.

W. C. Moore, Manager of the Denver Milk Producers, Inc., testified in opposition to the duplication of service; that it increased rates to the shippers without any benefit in service; that where poor service occurred, it should be remedied by PUC discipline and not by the granting of duplicating authorities.

William Brayden, Assistant Rate Expert of the Public Utilities Commission, testified as to distance and tariffs on file by Rein and Martin.

Fred Rein, Jr., Rein Milk Transport, testified that he had been operating since 1937 with an "A" permit for his first 9 customers and had purchased a certificate in September, 1937, and had purchased additional certificates from Bergstrom in 1938, from Hoffman in 1938, and from his Father in 1938, which certificates had been extended to include his present territory; that he also owned a freight certificate purchased from the Colorado Rapid Transit Company; that he owns six milk trucks and operates 5 routes--2 1½-ton International trucks, one 1949 2-ton International truck, 2 1948 1½-ton Dodge Trucks, one 1946 1½-ton Dodge Truck, all with milk van bodies and all insulated, except the standby truck; that the front ventilation on the trucks had been closed by an order of the Health Department issued one year ago; that his route foreman was Clayton Priest;

that he had 5 drivers on milk routes and one employed on the freight operation; that he had found shipper drivers okay; that Stotts had complained of Gruse being drunk and walking on the cans, but he was now driving for Martin; that milk standing in the sun for two hours would spoil; that the delay in paying Harvey Shearston's truck bill was due to the insurance company; that milk was cooled when delivered; that when it was picked up a back door was off of one truck for four days; that a new door had to be tailor-made to replace the one damaged; that he has had holes in the front of the trucks, but they had always been repaired as soon as possible; that he had his own garage and does his own repair work; that Cross had admitted to him the road became impassable, except by tractor.

Mr. Evans, Counsel for Rein, moved to strike all evidence relative to rates and charges as having no bearing in a certificate extension case. Motion was taken under advisement.

Upon motion by Counsel, Martin's and Rein's tariffs were made a part of the record.

After listening to three days of contradictory testimony, in which personalities apparently colored much of the testimony, the Commission can arrive at but one conclusion. All of the allegations and all of the proof are directed not at showing that public convenience and necessity require the granting of additional authorities for the transportation of milk from this area, but only go to show violations of the health ordinances -- which are a matter for the consideration of the Denver Health Department, and PUC violations which are a matter for the consideration of our Enforcement Division, to which they have been referred.

It is quite evident from the testimony that there have been violations of PUC regulations on the part of both applicants and piracy of each other's territory which, if allowed to continue, will impair the service available to the milk producers and the dairies, and should therefore be stopped.

## FINDINGS

### THE COMMISSION FINDS:

That the above Statement, which is hereby by reference made a part of these Findings, justifies the denial of both applications.

That violations of the health ordinances are a matter for the health authorities and do not come under the jurisdiction of the Commission.

That violations of PUC regulations and the pirating of each other's territory by both applicants should be restrained in the interest of better and more adequate service to the milk producers and the dairies.

## ORDER

### THE COMMISSION ORDERS:

That Application No. 11880-Extension, of Edward D. Martin and Maxine V. Martin, co-partners, doing business as "Martin Truck Lines," La Salle, Colorado, for an extension, should be, and the same is hereby, denied.

That applicants Edward D. Martin and Maxine V. Martin, doing business as "Martin Truck Lines," should be, and they hereby are, ordered to immediately cease and desist from any further violations of PUC regulations or the pirating of territory or customers from applicant Fred R. Rein Jr., doing business as "Rein Milk Transport."

That Application No. 11881-Extension, of Fred Rein, Jr., doing business as "Rein Milk Transport," 4401 Vine Street, Denver, Colorado, for an extension, should be, and the same is hereby, denied.

That applicant Fred Rein, Jr., doing business as "Rein Milk Transport," should be, and he hereby is, ordered to immediately cease and desist from any further violations of PUC regulations, or the pirating of territory or customers from applicants Edward D. Martin and Maxine V. Martin, doing business as "Martin Truck Lines."

This order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph C. Hawley*  
*Ralph C. Hobart*  
*John H. Lincoln*  
Commissioners.

Dated at Denver, Colorado,  
this 5th day of November, 1952.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
RUBEN P. ESQUIBEL, 2195 )  
PACIFIC PLACE, DENVER, )  
COLORADO. ) PERMIT NO. C-24422  
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 )  
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November 14, 1952  
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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-----  
----- Ruben P. Esquibel -----  
requesting that Permit No. C-24422 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-24422, heretofore issued to-----  
----- Ruben P. Esquibel ----- be,  
and the same is hereby, declared cancelled effective September 30, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Joseph W. C. Horton*  
*John H. Winchell*  
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Commissioners

Dated at Denver, Colorado,  
this 14th day of November, 1952.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ELWIN L. SMITH, 908 EAST 11TH, )  
PUEBLO, COLORADO. )  
 ) PERMIT NO. C-25054  
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 )  
 )  
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November 14, 1952  
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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-----  
Elwin L. Smith-----  
requesting that Permit No. C-25054 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-25054, heretofore issued to-----  
Elwin L. Smith-----be,  
and the same is hereby, declared cancelled effective October 22, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

-----  
Robert G. Hackett  
-----  
John H. Mitchell  
-----  
Commissioners

Dated at Denver, Colorado,  
this 14th day of November, 1952.  
mls



**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

◆ ◆ ◆ ◆

RE MOTOR VEHICLE OPERATIONS OF )  
DAVID B. COOK, GENERAL )  
DELIVERY, SIDNEY, NEBRASKA. )

**PERMIT NO. C-27305**

**November 14, 1952**

## STATEMENT

**By the Commission:**

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

**David B. Cook**

requesting that Permit No. C-27305 be cancelled.

## FINDINGS

**THE COMMISSION FINDS:**

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:**

That Permit No. C-27305, heretofore issued to.....

David B. Cook ..... be.

and the same is hereby, declared cancelled effective      October 31, 1952.

**THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

*W. W. Hawley*  
*Ralph C. Horton*  
*John H. Winchell*  
Commissioners

**Dated at Denver, Colorado,**

this 14th day of November, 1952.

**mls**

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ROBERT O. STRONG, 208 NO. 11TH, )  
LAMAR, COLORADO. )

PERMIT NO. C-27371

November 14, 1952

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Robert O. Strong

requesting that Permit No. C-27371 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-27371, heretofore issued to.....  
Robert O. Strong be,

and the same is hereby, declared cancelled effective November 2, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawke*  
*Robert O. Strong*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,  
this 14th day of November, 1952.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
LEO VERDERBER, 1532 JULIAN ST., )  
DENVER 4, COLORADO. )  
 ) PERMIT NO. C-27909  
 )  
 )  
 )  
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-----  
November 14, 1952  
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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-----  
-----Leo Verderber-----  
requesting that Permit No. C-27909-----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-27909-----, heretofore issued to-----  
-----Leo Verderber-----be,  
and the same is hereby, declared cancelled effective October 16, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,  
this 14th day of November, 1952.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
RALPH B. CANDELARIA, 333 4TH )  
AVENUE, DURAGO, COLORADO. )  
 ) PERMIT NO. C-28486  
 )  
 )  
 )  
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-----  
November 14, 1952  
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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-----  
-----Ralph B. Candelaria-----  
requesting that Permit No. C-28486 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-28486, heretofore issued to-----  
-----Ralph B. Candelaria-----be,  
and the same is hereby, declared cancelled effective October 31, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
-----  
-----  
-----John H. Winchell-----  
-----  
Commissioners

Dated at Denver, Colorado,  
this 14th day of November, 1952.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
DON KENNEY, GRAND JUNCTION, )  
COLORADO. )  
 )  
 ) PERMIT NO. C-28855  
 )  
 )  
 )  
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-----  
November 14, 1952  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Don Kenney-----  
requesting that Permit No. C-28855 be cancelled.

F I N D I N G S

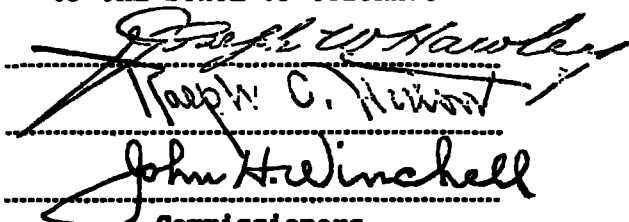
THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-28855, heretofore issued to-----  
Don Kenney-----be,  
and the same is hereby, declared cancelled effective October 31, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
  
Commissioners

Dated at Denver, Colorado,  
this 14th day of November, 1952.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JOE J. MONTEMAYOR, LAFAYETTE, )  
COLORADO. )  
 ) PERMIT NO. C-29432  
 )  
 )  
 )  
----- )

-----  
November 14, 1952  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Joe J. Montemayor-----  
requesting that Permit No. C-29432-----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-29432-----, heretofore issued to-----  
Joe J. Montemayor-----be,  
and the same is hereby, declared cancelled effective October 26, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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-----  
Commissioners

Dated at Denver, Colorado,  
this 14th day of November, 1952.  
ms

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ARTHUR<sup>F</sup> & JOHN E. SODERBERG, )  
SODERBURG LUMBER, GENERAL )  
DELIVERY, FORT COLLINS, ) PERMIT NO. C-23111  
COLORADO. )  
----- )

-----  
November 14, 1952  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Arthur & John E. Soderberg  
-----  
requesting that Permit No. C-23111 be cancelled.

F I N D I N G S

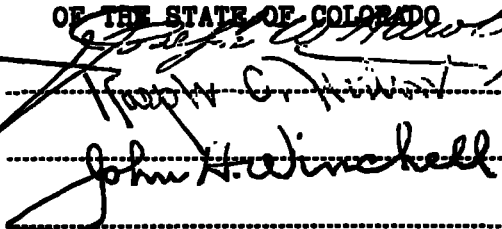
THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-23111, heretofore issued to-----  
Arthur & John E. Soderberg ----- be,  
and the same is hereby, declared cancelled effective September 23, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
  
-----  
Commissioners

Dated at Denver, Colorado,  
this 14th day of November, 1952.  
mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ACE B. DUNCAN, QUINCY, )  
CALIFORNIA. )  
 )  
 ) PERMIT NO. C-23051  
 )  
 )  
 )  
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-----  
November 14, 1952  
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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-----  
Ace B. Duncan  
-----  
requesting that Permit No. C-23051 be cancelled.

F I N D I N G S

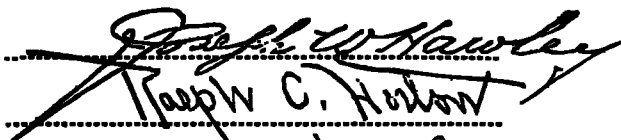

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-23051, heretofore issued to-----  
Ace B. Duncan be,  
and the same is hereby, declared cancelled effective August 17, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
  
Ralph W. Hawley  
  
John H. Winchell  
Commissioners

Dated at Denver, Colorado,  
this 14th day of November, 1952.  
mls

original

(Decision No. 39648)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE AMENDED APPLI- )  
CATION OF A. L. ATWOOD, 615 MONK, )  
FORT MORGAN, COLORADO, FOR AN EX- ) APPLICATION NO. 12062-PP-Extension  
TENSION OF PERMIT NO. B-2977. )  
-----

-----  
November 10, 1952  
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Appearances: Marion F. Jones, Esq., Denver,  
Colorado, for applicant;  
Howard D. Hicks, Denver, Colo-  
rado, for Welcker Transfer  
and Storage Company;  
R. E. Turano, Denver, Colorado,  
and  
T. A. White, Esq., Denver, Colo-  
rado, for Rio Grande Motor Way,  
Inc., and Larson Transportation  
Company.

S T A T E M E N T

By the Commission:

On October 1, 1952, A. L. Atwood, applicant herein, filed his application for an extension of Permit No. B-2977 to include the transportation of diamond core barrels and the accessory bits and hand tools between points in the State of Colorado.

The matter was regularly set for hearing, and heard, at 330 State Office Building, Denver, Colorado, on November 5, 1952, and at the conclusion of the hearing, the matter was taken under advisement.

At the hearing, applicant testifying in his own behalf, stated he had a net worth of approximately \$25,000.00 and desired to haul diamond core barrels and the accessory bits and hand tools to and from various oil fields located throughout Colorado; that in all the oil fields in Colorado where they are making test holes, this service is needed, and that he has been requested by the manager of Drilling and Service, Inc., to take care of their hauling of these cores and the tools used in drilling.

It appears that these cores are very heavy and require a certain

type of equipment to handle same. Applicant does not wish to haul any other commodities, but might haul for other customers interested in this type of business.

After hearing the evidence of applicant as to what he proposed to do, all protestants withdrew their objections.

Don Sessions, Manager of Drilling and Service, Inc., testified they were appearing in support of the application; that they needed specialized service which applicant was well qualified to handle; that they had found applicant had suitable equipment and had experience in this type of work and they had requested applicant to secure authority from this Commission to do their work.

It did not appear to the Commission, after hearing all of the evidence, that the granting of the above application would impair any common carrier service authorized to take care of this type of business now operating in Colorado.

### FINDINGS

#### THE COMMISSION FINDS:

That the instant application should be granted.

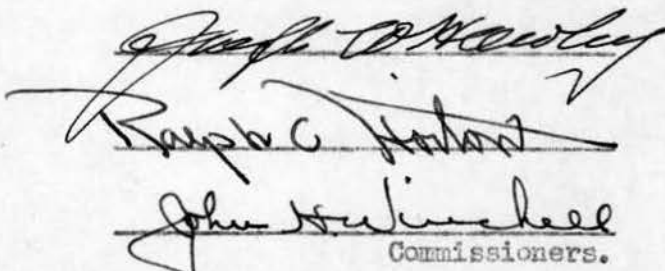
### ORDER

#### THE COMMISSION ORDERS:

That A. L. Atwood, of 615 Meeker, Fort Morgan, Colorado, be, and he hereby is, authorized to extend his authority under Private Carrier Permit No. B-2977 to include the transportation of diamond core barrels and the accessory bits and hand tools between points in the State of Colorado.

This order is made a part of the permit granted to applicant, and shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 10th day of November, 1952.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF }  
I. E. ZEMP, 1299 YOST STREET, DEN- }  
VER, COLORADO, FOR AN EXTENSION OF } APPLICATION NO. 12063-PP-Extension  
PERMIT NO. B-4513. }  
-----)

-----  
November 10, 1952  
-----

Appearances: I. E. Zemp, Denver,  
Colorado, pro se;  
A. J. Fregeau, Denver,  
Colorado, and  
Howard D. Hicks, Denver,  
Colorado, for Weicker  
Transfer & Storage Company.

S T A T E M E N T

By the Commission:

On September 19, 1952, I. E. Zemp, of 1299 Yost Street, Denver, Colorado, filed his application for an extension of Permit No. B-4513 to include the transportation of the same commodities, for the same customers as presently authorized, from presently-authorized 5-mile radius of Denver to presently-authorized 5-mile radius of Pueblo, Colorado, and from 5-mile radius of Pueblo to 5-mile radius of Denver.

The matter was regularly set for hearing, and heard, on November 5, 1952, at 330 State Office Building, Denver, Colorado, and at the conclusion of the hearing, the matter was taken under advisement.

Applicant is presently the holder of Permit No. B-4513, which authorizes the transportation of building materials and lumber between points within a radius of 5 miles of Denver for the F. & S. Construction Company and Santa Fe Lumber Company, only, and between points within a radius of 5 miles of Pueblo, Colorado, service to be performed for the F. & S. Construction Company, only, without the right to add to the number of customers served without first having obtained permission

from this Commission so to do.

At the hearing, I. E. Zemp, the applicant herein, stated he has a net worth of approximately \$12,000.00, and is the owner of two pieces of equipment; that he has been operating in the area authorized by his authority since its issuance by the Commission. He states that he has been requested by the F. & S. Construction Company to serve between his 5-mile radius of Pueblo and his 5-mile radius of Denver, and as a result of the request of his customer, he has filed the instant application with the Commission for authority to take care of his customer's needs.

Protestant cross-examined applicant very thoroughly as to his knowledge pertaining to competing service between Pueblo and Denver. Applicant stated that he knew there were carriers authorized to serve but was not familiar with their service or their schedules, and did not know all of the authorized carriers that could take care of this type of business. He further stated he did not know whether or not there was any need for his proposed service other than that requested by the F. & S. Construction Company.

William S. Suits, one of the officers of the F. & S. Construction Company, stated he presently was using applicant's service in the area around Pueblo and Denver; that he found applicant fit, willing and able to take care of the service needed by him; that he recently requested applicant to perform the service as asked for in his application; that he was appearing before the Commission for the purpose of securing this authority; that in his construction business, he needed a private carrier subject to call at all times so he could be given expedited service and would have a carrier when he needed one. He further stated that in his business his needs called for a carrier to serve on very short notice for the purpose of securing necessary building materials in their construction program; that his business was a contracting company and many times they ran short of supplies that were not available either in Denver

or Pueblo but were available in the other town, and he used applicant to haul supplies where they are needed. He stated that the service was important enough to him and to his company that he would be willing to pay an additional 20% more in rates for that needed service.

Harold D. Hicks, of Weicker Transfer and Storage Company, testified he had served thirteen years as Traffic Manager for the above company; that they had 262 pieces of equipment, of which three-fourths were used in their service between Pueblo and Denver; that they offered a service that is available at all times to the F. & S. Construction Company, and any business that was made available to other carriers, in his judgment, would definitely impair the services of his company.

At the conclusion of the case, protestant moved for the dismissal of the application on the ground that applicant denies having any knowledge of the present service available, or any knowledge concerning the inadequacy of the present service, and has shown no need for additional service. This motion was taken under advisement by the Commissioner presiding at the hearing.

In considering the above application, and especially the motion of protestants, the Commission feels that a brief review of the motor carrier situation in Colorado is in order. We have, in Colorado, two types of carriers for hire, common and private. The applicant herein is asking for an extension of a private carrier permit. Section 3, Chapter 120, Session Laws of 1931, as amended, provides:

"No application for permit, nor for any extension or enlargement of an existing permit, shall be granted by the Commission until after a hearing, nor shall any such permit, nor any extension or enlargement thereof, be granted if the Commission shall be of the opinion that the proposed operation of any such private carrier 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 the instant matter, applicant is presently serving as a private carrier restricted to two customers, viz: the F. & S. Construction Company and the Santa Fe Lumber Company. The F. & S. Company has requested applicant to perform service which necessitates the extension of that authority. Applicant is here before the Commission asking for that extension. The evidence and files clearly indicate that applicant is a fit, able and proper person, well qualified by experience and with suitable equipment, to carry on the proposed operation. An officer of the F. & S. Company appears before the Commission and states that he needs the service of applicant to assist him in carrying on his business; that as a result of his request for service, applicant has asked for an extension of his existing permit. He states that he needs a carrier available at all times to take care of his needs, and he is willing to pay 20% over the published rates for that special and expedited service.

We do not recall, but we feel we are safe to assume from the general tenor of the evidence, that the existing common carrier service between Pueblo and Denver is not adequate to take care of his needs. This, we feel, we can safely assume, due to the increased price that the customer will pay for this service. For some time it has been apparent, to the Commission that certain common carriers who regularly appear in opposition to the granting of applications for authority to operate as contract carriers (said permits under our Act being known as private carrier permits), have thought it sufficient to show in opposition to granting the permits that they are equipped to handle all business in the territory, and they have apparently construed the words: "will impair the efficient public service of any authorized motor vehicle common carrier" to mean "to diminish or deprive them of the possibility of increasing their income." In our judgment, the possible gain in or loss of revenue by carriers and adequacy of existing service are not the sole questions involved. What we want to know is: will existing motor vehicle common

carrier operations be so affected by the proposed new operation that they will not be able to continue efficient service to the public? In the instant case, we cannot say that the existing motor vehicle common carrier service will be so affected. In other words, it appears to us that the legislature, when providing for private and common carriers, anticipated the situation we have here before us. The legislature determined at that time that there was a type of business that common carriers could not handle adequately, and provided that private concerns could contract with carriers to take care of their business. In the instant case, applicant is confining himself in his application to two companies, and by his evidence only to one. There is nothing in the record that would indicate that protestant carrier would receive the business if this application is denied. On the contrary, the Commission's interpretation of the evidence is that this business would go to a commercial carrier, that is to private trucks owned by the construction company.

The mandate of the legislature as to our regulation of the motor carrier for hire business, in our judgment, is that the instant application should be granted for services to the F. & S. Construction Company, the customer who appeared and stated that he needed applicant's service for the proper operation of his business.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the instant application for extension, as hereinafter restricted, should be granted for the reasons heretofore set forth in our Statement which, by reference, is made a part of these Findings, and that the application as it pertains to Santa Fe Lumber Company should be denied and the motion for dismissal should be overruled.

### O R D E R

#### THE COMMISSION ORDERS:

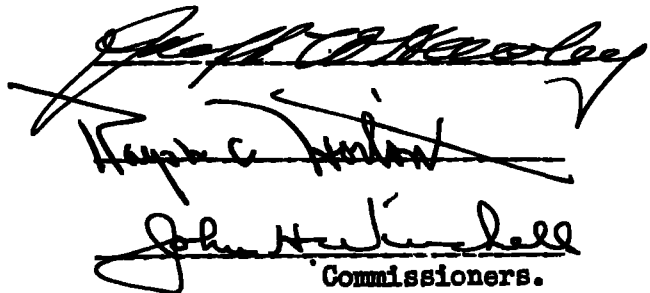
1. That the motion for dismissal should be overruled.



2. That I. E. Zemp, of 1299 Yost Street, Denver, Colorado, be, and he hereby is, authorized to extend his operations under Permit No. B-4513 to include the transportation of building materials and lumber from points within a radius of 5 miles of Denver, Colorado, to points within a radius of 5 miles of Pueblo, Colorado, and from points within a radius of 5 miles of Pueblo to points within a radius of 5 miles of Denver, for the F. & S. Construction Company only, without the right to add to the number of customers served without first having obtained permission from this Commission so to do.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 10th day of November, 1952.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
CLARENCE R. GOWER, 505 SOUTH CLAY )  
STREET, DENVER, COLORADO, FOR AN ) APPLICATION NO. 12064-PP-Extension  
EXTENSION OF PERMIT NO. B-4362. )  
-----)

-----  
November 10, 1952  
-----

Appearances: R. E. Turano, Denver, Colorado,  
for Rio Grande Motor Way, Inc.;  
A. J. Fregeau, Denver, Colorado,  
and  
Howard D. Hicks, Denver, Colorado,  
for Weicker Transfer and  
Storage Company.

S T A T E M E N T

By the Commission:

On September 19, 1952, Clarence R. Gower, of 505 South Clay Street, Denver, Colorado, filed his application for an extension of his Permit No. B-4362 to include the transportation of donuts and other food products for the Colorado Donut Corporation only, from Denver to and from other points in the State of Colorado.

The matter was regularly set for hearing on November 5, 1952, at 330 State Office Building, Denver, Colorado, due notice of the time and place 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, protestants 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.


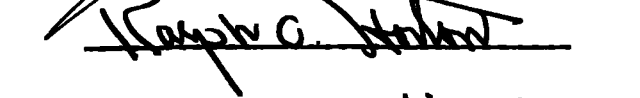
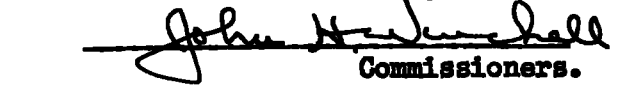
O R D E R

THE COMMISSION ORDERS:

That the above-styled application be, and the same hereby is, dismissed for lack of prosecution.

This order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 10th day of November, 1952.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
PACKAGE DELIVERY SERVICE COMPANY,  
2127 ARAPAHOE STREET, DENVER, COLO-  
RADO, A COLORADO CORPORATION, FOR  
AN EXTENSION OF ITS CERTIFICATE OF  
PUBLIC CONVENIENCE AND NECESSITY  
NO. 572.

APPLICATION NO. 11440-Extension

November 10, 1952

Appearances: Clarence W. Button, Esq.,  
Denver, Colorado, and  
Barry and Hupp, Esqs.,  
Denver, Colorado, for  
applicant;  
E. B. Evans, Esq., Denver,  
Colorado, for Swena  
Transfer and Express,  
Rein Milk Transport,  
Foster Truck Line;  
Norman R. Blake, Blackhawk,  
Colorado, for Gilpin  
County Freight Line;  
A. J. Fregeau, Denver,  
Colorado, for Weicker  
Transfer and Storage  
Company;  
J. R. Arnold, Denver,  
Colorado, for North  
Eastern Motor Freight,  
Inc.;  
R. W. Huitt, Denver, Colo-  
rado, for Foster Truck  
Line.

S T A T E M E N T

By the Commission:

On August 6, 1951, Package Delivery Service Company, Denver, Colorado, filed its application for an extension of PUC No. 527 to include a thirty-mile radius of Denver, Colorado.

The above matter was originally set for hearing on November 26, 1951, at 330 State Office Building, Denver, Colorado. On November 15, 1951, applicant, through its attorneys, filed its Motion, asking that the

setting be vacated for the reason that the witnesses and persons supporting applicant's request for extension of its present authority are people engaged in retail business, and are extremely busy, due to the seasonal rush.

The Commission, acting upon said motion, vacated the hearing for November 26, 1951, and later set the matter for hearing at the Hearing Room of the Commission, Denver, Colorado, on April 24, 1952, where the application was heard and taken under advisement.

The evidence on behalf of applicant disclosed that applicant company is engaged in the distribution of packages and household items in Denver and the surrounding area as defined in PUC No. 572, the authority of said certificate being transportation as follows:

"Packages daily between Denver and the territory described as: Beginning at the Denver City Limits, at West Alameda and Sheridan; thence west one-half mile; thence north six and one-half miles; thence east twelve and one-half miles; thence south seven and one-half miles; thence west four miles; thence south three miles; thence west six and one-half miles; thence north on Federal Boulevard to the City Limits; and

"Irregularly, but at least three times a week, between Denver and the territory described as: Beginning at the northeast corner of Section 5, Township 5-South, Range 67-West; thence south three miles; thence west four and one-half miles; thence south three miles; thence west six and one-half miles; thence north eighteen miles; thence east fourteen miles; thence south one and one-half miles (which is the northeastern extremity of daily service."

It also appears that at approximately the same time that PUC No. 572 was acquired by applicant herein, Rocky Mountain Motors loaned to Package Delivery Service, Inc., the following-described authority:

"Between Denver and Golden, to the top of Look-out Mountain and up Mount Vernon Canyon as far as the top of Mount Vernon Canyon where the Mount Vernon Country Club is situated, and also as far as, and to, Morrison and any point within a triangle formed by Denver, Morrison, and Golden, where said points are not already covered by Certificate No. 572, said service to be door-to-door service, and to be performed only for retail stores located in the City and County of Denver, no service to be performed up Bear Creek Canyon to points beyond Morrison, and minimum rate to Morrison to be not less than 25¢ per package."

In testimony presented by applicant, witnesses state that they are presently operating under PUC No. 572, and under some sort of an agreement are also operating under PUC No. 56, presently owned and held by Rocky Mountain Motors. This situation applicant contends in its testimony is not satisfactory, and applicant does not feel justified in investing additional capital through the building up of its transportation system where the authorities are in such a state of confusion and not presently owned by applicant company.

It appears that Rocky Mountain Motors is not desirous of transferred this authority to applicant. This peculiar situation developed some ten years ago and applicant is desirous, by this Order, to clarify the situation and to serve additional territory not covered by the authority under PUC No. 572.

Witnesses for applicant company reviewed in detail their operation of deliveries. The evidence discloses that applicant is the largest package delivery operator in the Denver area, serving the majority of the larger department stores for deliveries of their packages to Denver and the suburban territory immediately surrounding Denver, owning buildings built and equipped for the loading and unloading of trucks, complete sorting and routing equipment, with an investment in said building and equipment for routing and sorting in the amount of approximately \$110,000.00. Applicant also maintains complete facilities for repairing and servicing trucks and, in addition, has the necessary supplies for crating and the handling of refrigerators, stoves, and furniture.

The evidence further discloses that applicant company has an investment in buildings and equipment of approximately a quarter of a million dollars, and it appears that applicant is presently performing a necessary service for the large department stores of Denver in delivering packages to their customers.

Evidence was introduced on behalf of applicant by managers and those in charge of deliveries from many of the large firms using applicant's service, who stated it was their desire to extend their delivery service to Boulder and to other communities within a thirty-mile radius of



Denver. All of these witnesses contended that the public demanded said service and it was necessary for them to make arrangements to take care of this demand; that applicant company, at their request, was filing this application with the Commission for an extension of authority.

Several protestants appeared representing the line-haul carriers serving Metropolitan Denver, contending that they could not maintain their present operations if general authority for the transportation of freight was authorized to an area extending thirty miles from Denver. It appeared to the Commission that protestants realize -- as do we -- that there is a package delivery service needed in the thirty-mile area, but they did not feel, and the Commission is in agreement, that a general authority should be issued permitting a carrier to serve this area under a certificate not properly restricted.

The problem of delivering packages to Denver and the Metropolitan Area has been before this Commission on several occasions during the past two or three years. This is a needed service -- not only for the large department stores, but also for the small stores located all over the City of Denver. The Commission has given considerable thought to this problem, and has conducted investigations upon its own motion. As a result of the Commission's investigations, and of the evidence given at the instant hearing, together with the evidence introduced at former hearings, the Commission is of the opinion that a delivery service is needed and is in the public interest. However, it is the duty of the Commission to protect present line-haul carriers. They, too, are contributing to the general over-all transportation system in Denver and the surrounding area, and to give to a package delivery company the right to become a serious competitor of this line-haul service would be injurious and might destroy a very necessary and vital transportation.

It is the duty of the Commission, after hearing, to give to the public the best possible transportation service, remembering at all times that scheduled line-haul common carriers are the backbone of our transportation system. It is true that those operating line-haul or common carrier services are having difficulties due to the inflationary spiral

and to the ever-changing economy, and any regulatory body, such as ours, should continuously be vigilant that this service is not hampered or destroyed. It is therefore the opinion of the Commission that we should grant additional authority to applicant so that it will be possible for applicant to serve large department stores in Denver to take care of their delivery problems, while on the other hand, we should protect the interests and rights of our common carrier line-haul services.

After a review of the record, the Commission is confronted with one question relative to the rates that will govern this operation if said application for extension is granted. It is the opinion of the Commission that rates should be filed in accordance with our rules and regulations, and that possibly a further hearing should be had for the purpose of determining the reasonableness of those rates.

### F I N D I N G S

#### THE COMMISSION FINDS:

That applicant is fit, willing, and able to perform the aforementioned transportation service properly, and to conform with the provisions of the Motor Carrier Acts, rules, and regulations thereunder.

That public convenience and necessity require the extension of PUC No. 572 for the transportation of packages, subject, however, to the conditions and restrictions set forth in the Order following, which, in the opinion of the Commission, the public interest requires, and that certificate of public convenience and necessity should issue therefor.

### O R D E R

#### THE COMMISSION ORDERS:

That all motions be, and the same are hereby, denied.

That public convenience and necessity require the proposed extension of PUC No. 572 now operated by applicant herein, Package Delivery Service Company, a corporation, for the transportation for hire, on call and demand, of packages and parcels weighing not in excess of one hundred pounds each, between Denver, on the one hand, and, on the other, points and places within a thirty-mile radius thereof (excluding the area now authorized to be served under PUC No. 56, it being understood that the present authority under PUC No. 572 will not be impaired,



and this extension being to points only beyond said certificates), and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor, subject, however, to the following conditions:

(a) That the service of said applicant shall not be on schedule;

(b) That no shipment shall exceed one hundred pounds in weight;

(c) That applicant shall file satisfactory tariffs on rates, rules, and regulations, as required by the rules and regulations of this Commission governing motor vehicle carriers, within a period not to exceed twenty (20) days from the date hereof.

(d) That applicant shall render reasonably continuous and adequate service to the public in pursuance of the authority granted, and failure so to do shall constitute sufficient grounds for suspension, change, or revocation of this certificate, except when such failure is due to Act of God, the public enemy, or extreme conditions beyond its control.

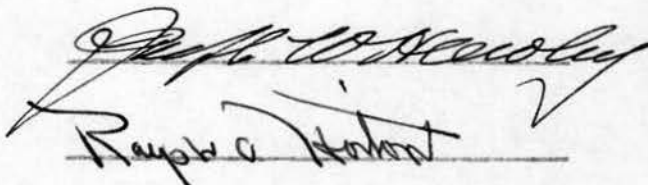
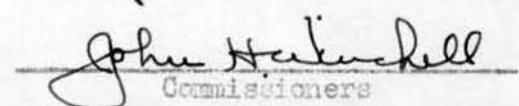
(e) That this Order is subject to compliance by applicant with all present and future laws, rules, and regulations of the Commission.

(f) That in conducting operations under the certificate herein granted, applicant shall be limited to the use of motor vehicles of the type commonly used in this type of operation, with a rated capacity not to exceed two tons each.

(g) The exercise of the privileges granted by this certificate shall be subject to such reasonable terms, conditions, and limitations required by the public interest as may, from time to time, be prescribed by the Commission.

This Order shall become effective twenty-one (21) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Ralph C. Hobart  
  
John H. Harkness  
Commissioners

Dated at Denver, Colorado,  
this 10th day of November, 1952.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
MARTIN BENJAMIN MONTEZ, BOONE, )  
COLORADO, FOR A CLASS "B" PERMIT TO )  
OPERATE AS A PRIVATE CARRIER BY )  
MOTOR VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 12051-PP  
SUPPLEMENTAL ORDER

-----  
November 10, 1952  
-----

Appearances: Martin Benjamin Montes,  
Boone, Colorado, pro se.

S T A T E M E N T

By the Commission:

By Decision No. 39588, of date October 30, 1952, the applicant in the above-styled application was granted a Class "B" private carrier permit to operate by motor vehicle for hire for the transportation of:

"farm produce (excluding livestock) beet pulp, hay (baled or loose), alfalfa meal, ensilage from point to point, farm to farm, from dealers to farmers within the following described area:

a line drawn east and west parallel to a line drawn north and south along the Otero and Bent County lines; on the south a line following the Otero, Las Animas and Huerfano, Pueblo County lines; on the west following the Pueblo County line."

Through error, the described area authorized to applicant was misstated, a line having been omitted from said description. It was the intention of applicant, as well as the Commission, to correctly describe the area as follows:

"a line drawn east and west parallel along the Pueblo, El Paso, Lincoln and Crowley County lines; on the east a line drawn north and south along the Otero and Bent County lines; on the south a line following the Otero, Las Animas, Huerfano and Pueblo County lines; on the west following the Pueblo County line."

## F I N D I N G S

### THE COMMISSION FINDS:

That Decision No. 39588, of date October 30, 1952, should be amended, as provided in the Order following.

## O R D E R


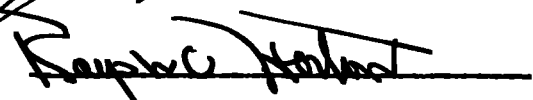
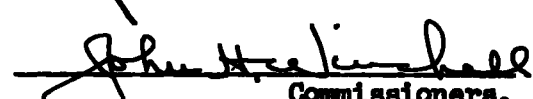
### THE COMMISSION ORDERS:

That Decision No. 39588, of date October 30, 1952, should be, and the same is hereby, amended, nunc pro tunc, as of said 30th day of October, 1952, by striking the single-spaced description of applicant's territory, commencing with the 6th line of said Order, and ending with the word "line" in the eleventh line, so that said description of territory shall read:

"a line drawn east and west parallel along the Pueblo, El Paso, Lincoln and Crowley County lines; on the east a line drawn north and south along the Otero and Bent County lines; on the south a line following the Otero, Las Animas, Huerfano and Pueblo County Lines; on the west following the Pueblo County line."

That, except as herein amended, said Decision No. 39588 shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 10th day of November, 1952.

mls

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

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RE OPERATIONS OF D. M. SAMPLEY,  
DOING BUSINESS AS "WESTERN SLOPE  
AVIATION," MONTROSE, COLORADO,  
UNDER CERTIFICATE OF PUBLIC CON-  
VENIENCE AND NECESSITY GRANTED BY  
DECISION NO. 34630.

**CASE NO. 5040**  
**SUPPLEMENTAL ORDER**

**November 10, 1952**

**STATEMENT**

**By the Commission:**

On April 21, 1950, D. M. Sampley, doing business as "Western Slope Aviation," Montrose, Colorado, was authorized to operate as a common carrier by airplane, for the transportation of:

passengers and property, not on schedule, from, to, and between all points in the State of Colorado, with Montrose, Colorado, and Olathe, Colorado, as bases of operation.

On April 15, 1952, the Commission, by Decision No. 38456, ordered Western Slope Aviation to show cause why its certificate should not be cancelled for the reason that they have discontinued their operations under said certificate, and have failed and neglected to operate said common carrier service.

The matter was regularly set for hearing at the Court House, Montrose, Colorado, on May 8, 1952, at ten o'clock A. M. The hearing was vacated by reason of the appearance of William A. Naff, in answer to the Show Cause Order, who stated that he was purchasing the above certificate and intended to file his application for transfer in the near future, and the matter of transfer was to be reset at a future date convenient to the Commission.

On October 1, 1952, the matter was reset before the Commission on October 16, 1952, at the Court House, Montrose, Colorado, at ten o'clock A. M.

When the matter was called for hearing, no one appeared for Western Slope Aviation to answer the Show Cause Order as set forth in our Decision No. 38456. It would, therefore, appear that service has been discontinued, and no application has been received by the Commission for transfer of the above-named certificate of public convenience and necessity, and that said certificate should be cancelled.

### F I N D I N G S

#### THE COMMISSION FINDS:

That certificate of public convenience and necessity granted by Decision No. 34630 should be cancelled.

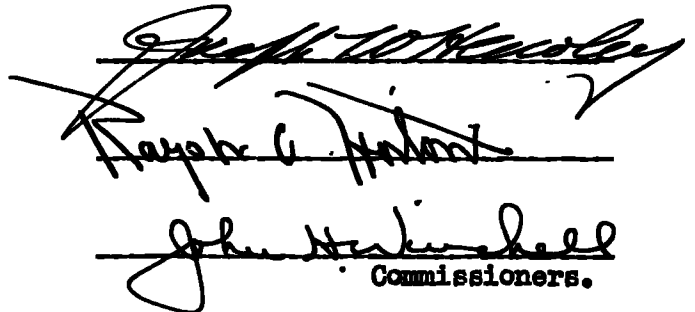
### O R D E R

#### THE COMMISSION ORDERS:

That certificate of public convenience and necessity granted by Decision No. 34630 should be, and the same is hereby, cancelled and revoked.

That this order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 10th day of November, 1952.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
W. E. DENNIS, ROUTE 2, BOX 1, )  
LA SALLE, COLORADO. )  
-----

CASE NO. 62699-Ins.  
(Permit No. C-13277)

-----  
November 10, 1952  
-----

S T A T E M E N T

By the Commission:

On September 30, 1952, in Case No. 62699-Ins., the Commission entered an order revoking Permit No. C-13277 for failure to keep on file the required certificate of insurance.

The assured advises that he had paid for insurance and it was through neglect of the agent that filing was not properly made. Since proper filing has now been made and without lapse, the order of revocation should be set aside.

F I N D I N G S

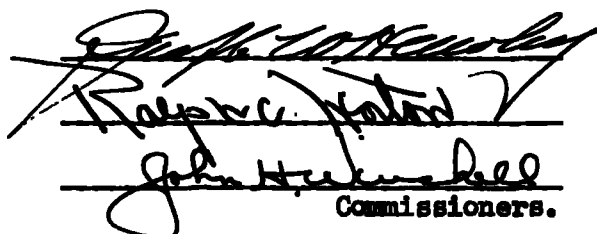
After careful consideration of the record and the files, the Commission is of the opinion, and finds, that our revocation order entered in Case No. 62699-Ins., should be cancelled and set aside, and said Permit No. C-13277 restored to its former status.

O R D E R

THE COMMISSION ORDERS:

That revocation order entered on September 30, 1952, in Case No. 62699-Ins., should be, and it hereby is, cancelled and set aside, and said Permit No. C-13277 restored to its former status as of September 30, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 10th day of November, 1952.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
TED HOLLINGER, FLEMING, COLO- )  
RADO. )  
-----

CASE NO. 63024-INS.  
(Permit No. C-13186)

-----  
November 10, 1952  
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S T A T E M E N T

By the Commission:

On October 23, 1952, in Case No. 63024-Ins., the Commission entered an order revoking Permit No. C-13186 for failure to keep on file the required certificate of insurance.

Insurance was in effect, but apparently filing was neglected by the agent until October 30 -- two days after the allowed period of grace. Inasmuch as the insurance is now on file and without lapse, order of revocation should be set aside.

F I N D I N G S

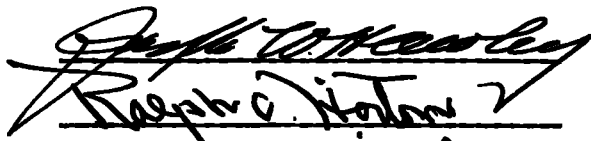
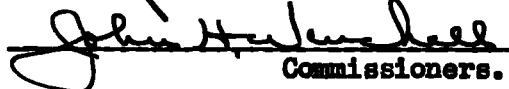
After careful consideration of the record and the files, the Commission is of the opinion, and finds, that our revocation order entered in Case No. 63024-Ins., should be cancelled and set aside, and said Permit No. C-13186 restored to its former status.

O R D E R

THE COMMISSION ORDERS:

That revocation order entered on October 23, 1952, in Case No. 63024-Ins., should be, and it hereby is, cancelled and set aside, and said Permit No. C-13186 restored to its former status as of October 23, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
\_\_\_\_\_  
  
Commissioners.

Dated at Denver, Colorado,  
this 10th day of November, 1952.  
als



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
G. R. EBERLY, BOX 231, LA JUNTA, )  
COLORADO. )  
-----

CASE NO. 62900-INS.  
(Permit No. C-28344)

-----  
November 10, 1952  
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S T A T E M E N T

By the Commission:

On October 23, 1952, in Case No. 62900-Ins., the Commission entered an order revoking Permit No. C-28344 for failure to keep on file the required certificate of insurance.

Since proper insurance has now been filed within the 5-day period of grace allowed in the order, the revocation should be set aside.

F I N D I N G S

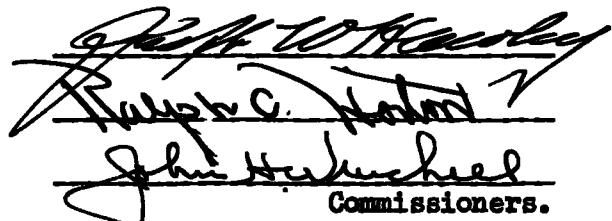
After careful consideration of the record and the files, the Commission is of the opinion, and finds, that our revocation order entered in Case No. 62900-Ins., should be cancelled and set aside, and said Permit No. C-28344 restored to its former status.

O R D E R

THE COMMISSION ORDERS:

That revocation order entered on October 23, 1952, in Case No. 62900-Ins., should be, and it hereby is, cancelled and set aside, and said Permit No. C-28344 restored to its former status as of October 23, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 10th day of November, 1952.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF  
STATE HIGHWAY COMMISSION OF COLO-  
RADO, A PUBLIC CORPORATION, FOR THE  
USE AND BENEFIT OF THE PEOPLE OF  
THE STATE OF COLORADO, FOR AUTHORITY  
TO RECONSTRUCT HIGHWAY-RAILROAD  
GRADE SEPARATION LOCATED NEAR THE  
INTERSECTION OF GRAND AVENUE AND  
SEVENTH STREET IN THE CITY OF GLEN-  
WOOD SPRINGS, COLORADO, ON STATE  
HIGHWAY NO. 82, OVER THE TRACKS AND  
RIGHTS-OF-WAY OF THE DENVER AND RIO  
GRANDE WESTERN RAILROAD COMPANY AT  
MILE POST 360.18; ALSO TO CONSTRUCT  
TEMPORARY GRADE CROSSING AND INSTALL  
CROSSING PROTECTION DEVICES (TEM-  
PORARY), ON DETOUR OVER PROPERTIES  
OF THE DENVER AND RIO GRANDE WESTERN  
RAILROAD COMPANY, INCLUDING THE  
ASPEN BRANCH TRACK, AT MILE POST  
360.29, ALL LOCATED IN GARFIELD  
COUNTY, STATE OF COLORADO.

APPLICATION NO. 12047

-----  
November 7, 1952.  
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S T A T E M E N T

By the Commission:

The Commission, by formal notice to all interested parties,  
set the above-entitled matter for hearing at Glenwood Springs, Colorado,  
on November 13, 1952.

The Commission is now in receipt of a written request by the  
Attorney General representing applicant in the matter, requesting that  
said Application No. 12047 be withdrawn, without prejudice. The reason  
given for the withdrawal is that negotiations with the railroad company  
are not yet completed, and the application incorrectly states the facts.

F I N D I N G S

THE COMMISSION FINDS:

That the request of the Attorney General, acting for and on

behalf of applicant, requesting that Application No. 12047 be withdrawn, without prejudice, should be granted for the reasons stated above.

O R D E R

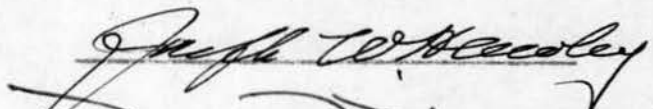
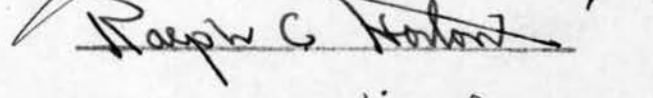
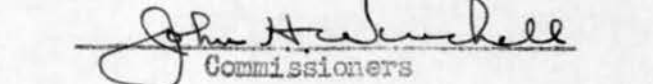
THE COMMISSION ORDERS:

That Application No. 12047 be, and it hereby is, permitted to be withdrawn, without prejudice.

That the hearing set for Glenwood Springs, on November 13, 1952, be, and it hereby is, vacated.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 7th day of November, 1952.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
LEE MEDINA, GENTER, COLORADO. )  
-----

CASE NO. 59635-INS.  
(Permit No. B-3561)

-----  
November 7, 1952  
-----

S T A T E M E N T

By the Commission:

On February 6, 1952, in Case No. 59635-Ins., the Commission entered an order revoking the above numbered permit for failure to keep on file the required certificate of insurance.

Insurance was on file, but through oversight was not credited to this permit. Since insurance is on file and without lapse, order of revocation should be set aside.

F I N D I N G S

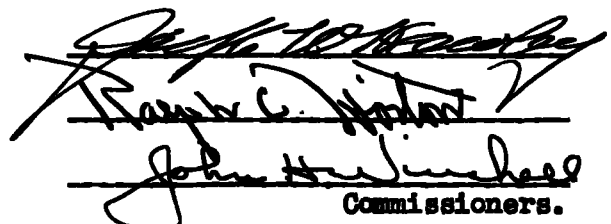
After careful consideration of the record and the files, the Commission is of the opinion, and finds, that our revocation order entered in Case No. 59635-Ins., should be set aside and cancelled, and said Permit No. B-3561 restored to its former status.

O R D E R

THE COMMISSION ORDERS:

That revocation order entered on February 6, 1952, in Case No. 59635-Ins., should be, and it hereby is, cancelled and set aside, and said Permit No. B-3561 restored to its former status as of February 6, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 7th day of November, 1952.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
BURTIS L. CLARK, BOX 435, DIVIDE, )  
COLORADO, FOR AUTHORITY TO TRANSFER )  
PERMIT NO. B-3786 TO WILLIAM C. )  
SNIDER, DOING BUSINESS AS "SNIDER )  
OIL COMPANY," DIVIDE, COLORADO. )  
-----

APPLICATION NO. 12099-PP-Transfer

-----  
November 7, 1952.  
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STATEMENT

By the Commission:

By Decision No. 29479, of date December 12, 1947, Henry Nichols and George Nichols, co-partners, Florissant, Colorado, were authorized to operate as Class "B" private carriers by motor vehicle for hire, for the transportation of:

general merchandise between Colorado Springs, on the one hand, and on the other, points on U. S. Highway No. 24 between, and including, Divide and Hartsel, Colorado, and household goods between Colorado Springs, Colorado, on the one hand, and on the other, points and places along and within ten miles of U. S. Highway No. 24 between, and including, Divide and Hartsel, Colorado,

said operating rights being designated "Permit No. B-3786."

By Decision No. 30375, of date April 28, 1948, said permit-holders were authorized to extend operations under said Permit No. B-3786 to include the right to transport:

general merchandise from Colorado Springs to Alma, Colorado, via U. S. Highways Nos. 24 and 9, or U. S. Highways Nos. 285 and 9, with the right to serve intermediate points, Hartsel to Alma, Colorado.

By Decision No. 35113, of date July 25, 1950, Henry Nichols and George Nichols were authorized to suspend operations under Permit No. B-3786 until December 22, 1950.



Pursuant to authority contained in Decision No. 35186, of date August 10, 1950, said permit was reinstated, and the owners thereof were authorized to transfer said operating rights to Burtis L. Clark, Divide, Colorado, who, by the instant application, seeks authority to transfer said Permit No. B-3786 to William C. Snider, doing business as "Snider Oil Company," Divide, 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 ten-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 and able to carry on the operation, and it does not appear that any useful purpose would be served by setting said application 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 Burtis L. Clark, Divide, Colorado, should be, and he is hereby, authorized to transfer all his right, title, and interest in and to Permit No. B-3786 -- being the operating rights granted by Decisions Nos. 29479 and 30375 -- to William C. Snider, doing business as "Snider Oil Company," Divide, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised

the Commission that said permit has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of this Order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission.

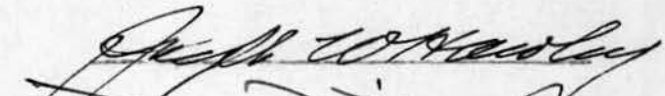
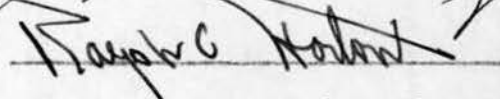
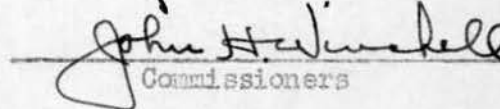
The right of transferee to operate under this Order shall depend upon his compliance with all present and future laws and rules and regulations of the Commission, and the prior filing by transferor of delinquent reports, if any, covering operations under said permit up to the time of transfer of said permit, and payment by him or transferee of all unpaid ton-mile tax.

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

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

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 7th day of November, 1952.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
MERIDAN CREAMERY CO., 423 SO. )  
MAIN ST., HUTCHINSON, KANSAS. )  
 )  
 )  
 )

PERMIT NO. C-12533

November 18, 1952

S T A T E M E N T

By the Commission:

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

Meridan Creamery Co.

requesting that Permit No. C-12533 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-12533, heretofore issued to.....

Meridan Creamery Co. be,

and the same is hereby, declared cancelled effective November 7, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Joseph W. C. Norton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 18th day of November, 1952.

mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
MARVIN POLSTON, ROUTE 1, )  
ALAMOSA, COLORADO. )  
 )  
 )  
 )  
 )  
----- )

PERMIT NO. C-6259

-----  
November 18, 1952  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
-----Marvin Polston-----  
requesting that Permit No. C-6259 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-6259, heretofore issued to-----  
-----Marvin Polston-----be,  
and the same is hereby, declared cancelled effective November 7, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

-----  
*Ralph W. C. Holton*  
-----  
*John H. Winchell*  
-----  
Commissioners

Dated at Denver, Colorado,  
this 18th day of November, 1952.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
J. M. & SARAH GOLDBERG, DOING )  
BUSINESS AS "GOLDBERG FURNITURE )  
COMPANY," 1225 - 16th STREET, ) PERMIT NO. C-4091  
DENVER 2, COLORADO. )  
)  
-----

-----  
November 18, 1952  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
J. M. & Sarah Goldberg, dba "Goldberg Furniture Company"  
requesting that Permit No. C-4091 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

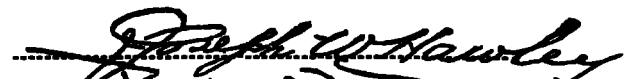
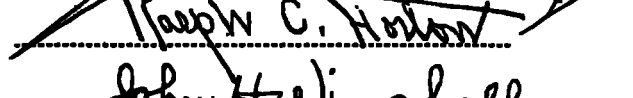
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-4091, heretofore issued to.....  
J. M. & Sarah Goldberg, dba "Goldberg Furniture Company" be,  
and the same is hereby, declared cancelled effective October 25, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Joseph W. C. Horton  
  
Commissioners

Dated at Denver, Colorado,

this 18th day of November, 1952.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
L. L. BEESON, 2931 W. DOUGLAS )  
PLACE, DENVER 11, COLORADO. )  
)  
)  
)

PERMIT NO. C-29170

November 21, 1952

S T A T E M E N T

By the Commission:

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

L. L. Beeson

requesting that Permit No. C-29170 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-29170, heretofore issued to.....

L. L. Beeson

be,

and the same is hereby, declared cancelled effective November 12, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Reginald W. Hawley*  
*Ray W. C. Horton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 21st day of November, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
A-1 TRANSPORTATION COMPANY, )  
% GREELEY COUNTY GRAIN, )  
TRIBUNE, KANSAS. ) PERMIT NO. C-28393  
 )  
 )  
 )  
 )  
-----

-----  
November 21, 1952  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
-----A-1 Transportation Company-----  
requesting that Permit No. C-28393 be cancelled.

F I N D I N G S

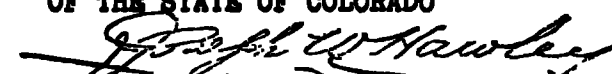
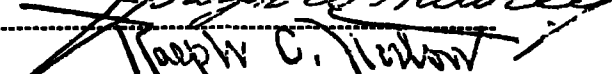
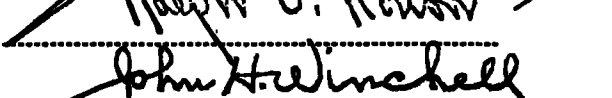
THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-28393, heretofore issued to-----  
-----A-1 Transportation Company-----be,  
and the same is hereby, declared cancelled effective November 12, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
  
  
  
Commissioners

Dated at Denver, Colorado,  
this 21st day of November, 1952.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
NORTH TEXAS TANK CO., DENTON, )  
TEXAS. )

PERMIT NO. C-26134

November 21, 1952

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
.....North Texas Tank Co.....  
requesting that Permit No. C-26134.....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-26134....., heretofore issued to.....  
.....North Texas Tank Co.....be,  
and the same is hereby, declared cancelled effective November 12, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Ralph W. Hawley*  
*Ralph W. C. Holton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,  
this 21st day of November, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
VIRGEL L. DAWSON, P. O. BOX 55, )  
LAMAR, COLORADO. )  
 )  
 )  
 )

PERMIT NO. C-21040

-----  
November 21, 1952  
-----

S T A T E M E N T

By the Commission:

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

.....  
Virgel L. Dawson  
.....

requesting that Permit No. C-21040 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-21040, heretofore issued to.....

.....  
Virgel L. Dawson  
.....be,

and the same is hereby, declared cancelled effective November 12, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
\_\_\_\_\_  
*Ralph C. Horton*  
\_\_\_\_\_  
*John H. Winchell*  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,

this 21st day of November, 1952.

mls

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

• • • •

RE MOTOR VEHICLE OPERATIONS OF )  
ELMER R. STOCKER, RT. 12, )  
GRAND JUNCTION, COLORADO. )

PERMIT NO. C-20115

**November 21, 1952**

## STATEMENT

**By the Commission:**

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

**Elmer R. Stocker**

requesting that Permit No. 8-20115 be cancelled.

## FINDINGS

**THE COMMISSION FINDS:**

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:**

That Permit No. C-20115, heretofore issued to.....

**Elmer R. Stocker**

**.be,**

**and the same is hereby, declared cancelled effective      October 12, 1952.**

**THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

~~Joseph W. Hawley~~  
~~Joseph C. Horst~~  
~~John H. Winchell~~  
Commissioners

**Dated at Denver, Colorado,**

this 21st day of November, 195 2.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JOSEPH B. SANTARELLI, 826 )  
HARRISON, CANON CITY, COLORADO. )

PERMIT NO. C-15305

November 21, 1952

S T A T E M E N T

By the Commission:

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

Joseph B. Santarelli

requesting that Permit No. C-15305 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-15305, heretofore issued to.....

Joseph B. Santarelli be,

and the same is hereby, declared cancelled effective November 12, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph V. Hawley*  
*Ralph W. C. Horton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 21st day of November, 1952.

mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
RIEDELSEL-LOWE COMPANY, BOX )  
850, BOULDER, COLORADO. )  
 )  
 )  
 )  
 )

PERMIT NO. C-28764

-----  
November 21, 1952  
-----

S T A T E M E N T

By the Commission:

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

-----  
Riedesel-Lowe Company  
-----

requesting that Permit No. C-28764 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-28764, heretofore issued to.....

-----  
Riedesel-Lowe Company  
----- be,

and the same is hereby, declared cancelled effective November 13, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

-----  
*Joseph W. Hawley*  
-----  
*Joseph W. C. Horton*  
-----  
*John H. Winchell*  
-----  
Commissioners

Dated at Denver, Colorado,

this 21st day of November, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
HARRY McKINZIE, 1646 S. TEJON )  
ST., COLORADO SPRINGS, )  
COLORADO. )

PERMIT NO. C-15206

November 21, 1952

S T A T E M E N T

By the Commission:

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

Harry McKinzie

requesting that Permit No. C-15206 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-15206, heretofore issued to.....

Harry McKinzie be,

and the same is hereby, declared cancelled effective October 25, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Ralph W. C. Horton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 21st day of November, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
LLOYD G. SIDERIUS, DOING BUSI- )  
NESS AS "CORNWELL TOOLS SALES," )  
CLIMAX, COLORADO. )

PERMIT NO. C-28537

November 21, 1952

S T A T E M E N T

By the Commission:

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

Lloyd G. Siderius.....

requesting that Permit No. C-28537 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-28537, heretofore issued to.....

Lloyd G. Siderius.....

be,

and the same is hereby, declared cancelled effective October 18, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Ralph W. C. Norton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 21st day of November, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
CLIFTON A. KELLEY, CLAUDE, )  
TEXAS. )

PERMIT NO. C-28419

November 21, 1952

S T A T E M E N T

By the Commission:

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

Clifton A. Kelley

requesting that Permit No. C-28419 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-28419, heretofore issued to.....

Clifton A. Kelley be,

and the same is hereby, declared cancelled effective November 6, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Ralph C. Horton*  
Ralph C. Horton  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 21st day of November, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
OTTO PIRKLE, DOING BUSINESS AS )  
"PIRKLE REFRIGERATED LINES," )  
2475 SO. ARCHER ST., CHICAGO 16, )  
ILLINOIS. )  
-----

PUC NO. 2225-I

-----  
November 21, 1952  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Otto Pirkle, doing business as "Pirkle Refrigerated Lines," Chicago, Illinois, requesting that Certificate of Public Convenience and Necessity No. 2225-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. 2225-I, heretofore issued to Otto Pirkle, doing business as "Pirkle Refrigerated Lines," Chicago, Illinois, be, and the same is hereby, declared cancelled effective November 12, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*[Signature]*  
*[Signature]*  
*[Signature]*  
Commissioners.

Dated at Denver, Colorado,  
this 21st day of November, 1952.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
VERNON W. BERNARD, 1680 SO. )  
SANTA FE, DENVER 19, COLORADO. )  
 )  
 )  
 )

PERMIT NO. B-3534

November 21, 1952

S T A T E M E N T

By the Commission:

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

Vernon W. Bernard.....

requesting that Permit No. B-3534.....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-3534....., heretofore issued to.....

Vernon W. Bernard.....be,

and the same is hereby, declared cancelled effective November 12, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Ralph C. Horton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 21st day of November, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
FELIX MARQUEZ, BOX 63, DENVER 1, )  
COLORADO. )  
-----

PERMIT NO. B-4295

-----  
November 21, 1952  
-----

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-4295 be suspended for six months from November 14, 1952.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

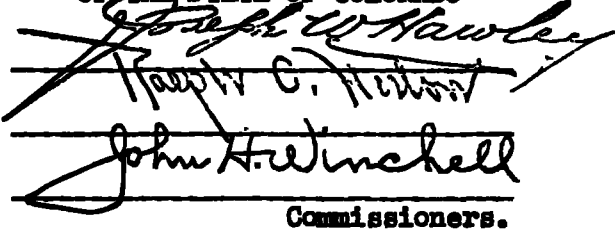
O R D E R

THE COMMISSION ORDERS:

That Felix Marquez, Denver, Colorado, be, and he is hereby, authorized to suspend his operations under Permit No. B-4295 until May 14, 1953.

That unless said Felix Marquez, Denver, Colorado, 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

  
Commissioners.

Dated at Denver, Colorado,  
this 21st day of November, 1952.  
mls

original

(Decision No. 39676)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
HAROLD DREIER, DOING BUSINESS AS )  
"GENOA TRANSPORTATION COMPANY," )  
GENOA, COLORADO, FOR AUTHORITY TO )  
LEASE PUC NO. 400 TO GLENN P. )  
THOMPSON, DOING BUSINESS AS )  
"FLAGLER-DENVER TRUCK LINE," )  
FLAGLER, COLORADO. )

APPLICATION NO. 12100-Lease

-----  
November 19, 1952  
-----

S T A T E M E N T

By the Commission:

Pursuant to authority contained in Decision No. 2458, of date September 12, 1929, Guy Black, W. B. Burrous, and Art Schultz were authorized to operate as common carriers by motor vehicle for hire, for the transportation of:

freight between Genoa and points within a radius of eight miles east, six miles west, and thirty-five miles north thereof, on the one hand, and, on the other, Denver, but not between any intermediate points,

said operating rights being designated "PUC No. 400."

By the instant application, Harold Dreier, doing business as "Genoa Transportation Company," Genoa, Colorado, (he having acquired said operating rights pursuant to authority contained in Decision No. 28165, of date May 16, 1947), seeks authority to lease PUC No. 400 to Glenn P. Thompson, doing business as "Flagler-Denver Truck Line," Flagler, Colorado, said lease to be in effect from October 1, 1952, to October 1, 1953, in accordance with "Agreement of Lease" attached to the application filed herein.

Inasmuch as the files of the Commission and the application herein show that said certificate is in good standing; that there are



no outstanding unpaid operating obligations against said certificate; that lessee, 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 leasing 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 leasing of PUC No. 400, as set forth in the lease agreement attached to the application herein, which is made a part of these Findings by reference, from Harold Dreier, doing business as "Genoa Transportation Company," Genoa, Colorado, to Glenn P. Thompson, doing business as "Flagler-Denver Truck Line," Flagler, Colorado, is in the public interest, and that application so to lease should be approved by this Commission.

### O R D E R

#### THE COMMISSION ORDERS:

That Harold Dreier, doing business as "Genoa Transportation Company," Genoa, Colorado, should be, and he is hereby, authorized to lease PUC No. 400 to Glenn P. Thompson, doing business as "Flagler-Denver Truck Line," Flagler, Colorado, as per terms of "Agreement of Lease" attached to the instant application.

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.

The right of lessee to operate under this order shall depend upon the prior filing by lessor of delinquent reports, if any, covering operations under said certificate, and payment by him or lessee of all unpaid ton-mile tax.

That ton-mile tax deposit of lessor shall be transferred and

3.  
credited to account of lessee herein.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph W. Hester  
Harold C. Horton  
John H. Hester  
Commissioners

Dated at Denver, Colorado,  
this 19th day of November, 1952.

mw

original

(Decision No. 39677)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
HASKELL ROGERS, DOING BUSINESS AS )  
"ROGERS TRUCK LINE," P. O. BOX 1476, )  
KILGORE, TEXAS, FOR AUTHORITY TO )  
TRANSFER PUC NO. 756 AND PUC NO. )  
756-I TO R. L. ROGERS, H. L. ROGERS, )  
AND H. L. ROGERS, JR., CO-PARTNERS, )  
DOING BUSINESS AS "ROGERS TRUCK )  
LINE," P. O. BOX 1476, KILGORE, )  
TEXAS. )  
-----

APPLICATION NO. 12101-Transfer

-----  
November 19, 1952  
-----

Appearances: Morgan Nesbitt, Esq., Austin,  
Texas, for applicants.

S T A T E M E N T

By the Commission:

Haskell Rogers, doing business as "Rogers Truck Line," Kilgore, Texas, owner and operator of PUC No. 756 and PUC No. 756-I, by the instant application, seeks authority to transfer said operating rights to R. L. Rogers, H. L. Rogers, and H. L. Rogers, Jr., co-partners, doing business as "Rogers Truck Line," Kilgore, Texas.

Inasmuch as the files of the Commission and the application herein show that said certificates are in good standing; that ten-mile tax deposit is to be transferred to account of transferees; 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 application 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 application, 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, against said operation.

## ORDER

### THE COMMISSION ORDERS:

That Haskell Rogers, doing business as "Rogers Truck Line," Kilgore, Texas, should be, and he is hereby, authorized to transfer all his right, title, and interest in and to PUC No. 756 and PUC No. 756-I to H. L. Rogers, R. L. Rogers, and H. L. Rogers, Jr., co-partners, doing business as "Rogers Truck Line," Kilgore, Texas, subject to payment of outstanding indebtedness against said operation, whether secured or unsecured, and specifically providing that transferees shall assume and pay ton-mile tax due and owing from transferor to the Commission on account of operations under said certificates.

That said transfer shall become effective only if and when, but not before, said transferor and transferees, in writing, have advised the Commission that said certificates have been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of this Order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission.

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.

The right of transferees to operate under this order shall depend upon the prior filing by transferor of delinquent reports, if any, covering operations under said certificates up to the time of transfer of said certificates, and payment by him or transferees of all unpaid ton-



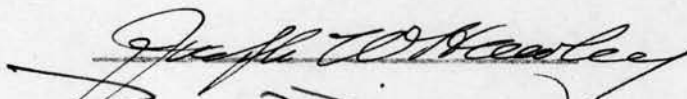
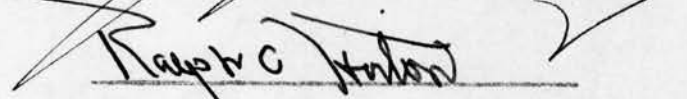
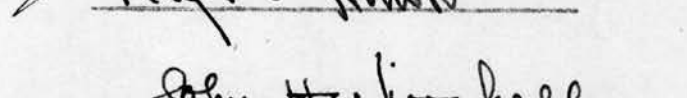
2 -  
mile tax.

That transfer of interstate operating rights herein authorized is subject to the provisions of the Federal Motor Carrier Act of 1935.

That ton-mile tax deposit of transferor shall be transferred and credited to account of transferees herein.

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 19th day of November, 1952.

HW

original

(Decision No. 29678)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
SIDNEY E. OMOHUNDRO, DOING BUSINESS )  
AS "STATE TRANSPORT SERVICE," 211 )  
WEST NINTH STREET, LEADVILLE, COLO- )  
RADO, FOR AUTHORITY TO TRANSFER PUG )  
NO. 1316 TO JOHN O'CONNELL, 215 )  
WEST SEVENTH STREET, LEADVILLE, )  
COLORADO. )  
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APPLICATION NO. 12102-Transfer

-----  
November 19, 1952  
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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. 13886, of date August 21, 1939, as amended  
by Decision No. 14232, of date October 27, 1939, and Decision No. 15256,  
of date April 20, 1940, Clyde G. Medley was authorized to operate as a  
common carrier by motor vehicle for hire, with authority:

to conduct a general transfer and cartage  
business in the City of Leadville, Colo-  
rado, and the area within a radius of five  
miles thereof; the transportation of ore,  
concentrates, mine and mill machinery,  
mine and mill supplies from point to point  
within a fifteen-mile radius of Leadville,  
Colorado, except transportation of ore and  
concentrates from Kokomo or Frisco to  
Leadville, and excluding service from that  
part of said radius, if any, lying east of  
the Continental Divide, and the transporta-  
tion of ore from mines in Iowa Gulch, and  
Tiger Mines near Breckenridge, to smelter  
near Leadville; the transportation of tele-  
phone and electric light poles and line  
construction supplies from Leadville, to  
points within a radius of forty miles of  
Leadville, Colorado; the transportation of  
hay, grain, and livestock from point to  
point in all that part of said fifteen-  
mile radius lying west of the Continental  
Divide; provided, however, that no authority  
is granted to render a service between towns  
on the line of scheduled common carriers in  
competition therewith,

said operating rights being known as "PUC No. 1316."

Pursuant to authority contained in Decision No. 17010, said certificate-holder transferred said PUC No. 1316 to Harold Partridge, Leadville, Colorado, who, by Decision No. 19323, of date July 23, 1942, was authorized to extend operations under PUC No. 1316 to include:

the transportation of general commodities between points within a fifteen-mile radius of Leadville, Colorado, and to and from said points on the one hand, from and to points within the State of Colorado on the other hand, on a call and demand service, exclusive of any service to or from what is known as the Alma Mining District and the South Park area, provided that such service shall be limited to forty miles of Leadville for the transportation of telephone and telegraph poles, wire, and supplies therefor, and provided further that none of such service shall be conducted on regular routes or schedules, or directly compete with scheduled operations of presently established line-haul carriers, in serving points within said fifteen-mile radius.

Sidney E. Omohundro, Leadville, Colorado, who acquired said operating rights pursuant to authority contained in Decision No. 26313, of date July 31, 1946, by the instant application, seeks authority to transfer PUC No. 1316 to John O'Connell, Leadville, Colorado.

Inasmuch as the files of the Commission and the application herein show that said certificate is in good standing; that ten-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 determine 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 Sidney E. Omohundro, doing business as "State Transport Service," Leadville, Colorado, should be, and he is hereby, authorized to transfer all his right, title, and interest in and to PUC No. 1316 -- being the operating rights granted by Decision No. 13886, as amended by Decisions Nos. 14232 and 15256, and as extended by Decision No. 19323 -- to John O'Connell, Leadville, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said certificate has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of this Order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission.

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.

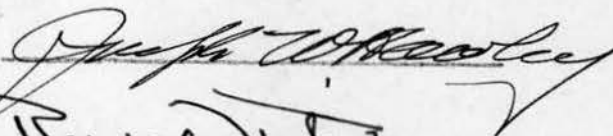
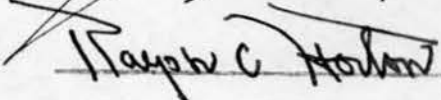
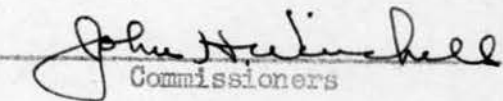
The right of transferee to operate under this Order shall depend upon the prior filing by transferor of delinquent reports, if any, covering operations under said certificate up to the time of transfer of said certificate, and payment by him or transferee of all unpaid ton-mile tax.

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



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 19th day of November, 1952.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
F. E. HERBERT, DOING BUSINESS AS )  
"HERBERT MILK LINE," RURAL ROUTE 2, )  
COLORADO SPRINGS, COLORADO, FOR )  
AUTHORITY TO TRANSFER PUC NO. 1570 ) APPLICATION NO. 12103-Transfer  
TO HAROLD E. TINSLEY, 519 EAST )  
PLATTE STREET, COLORADO SPRINGS, )  
COLORADO. )  
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-----  
November 19, 1952  
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S T A T E M E N T

By the Commission:

Pursuant to authority contained in Decision No. 30531, of date May 20, 1948, F. E. Herbert, doing business as "Herbert Milk Line," Colorado Springs, Colorado, acquired PUC No. 1570 from Frank Lamb, doing business as "Lamb Milk Line," Peyton, Colorado, said PUC No. 1570 being the right to operate as a common carrier by motor vehicle for hire, for the transportation of:

milk and cream with the return of empty cans in the territory described as: beginning at a point ten miles west of Peyton; north along the center of Range 65-West a distance of eighteen miles; east a distance of thirty miles; south along center line of Range 60 west to State Highway No. 94; west on Highway No. 94 to center of Range 65; north to point of beginning, to points within said area and points outside thereof. The towns located within the described area being Calhan, Eastonville, Elbert, Ellicott, Falcon, Fondis, Kuhn's Crossing, Peyton, Ramah, Shirley, and Yoder.

By Decision No. 30760, of date June 28, 1948, said Decision No. 30531 was amended by eliminating from PUC No. 1570 authority to transport:

milk and cream from points in the described area to points outside thereof, with back-haul of empty cans,

said deletion of authority being made at the request of Transferee Herbert.

By the instant application, F. E. Herbert, doing business as

"Herbert Milk Line," seeks authority to transfer PUC No. 1570 to Harold E. Tinsley, Colorado Springs, 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 qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said application 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 F. E. Herbert, doing business as "Herbert Milk Line," Colorado Springs, Colorado, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 1570 — being the operating rights acquired by him pursuant to authority contained in Decision No. 30531, as amended by Decision No. 30760 — to Harold Tinsley, Colorado Springs, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said certificate has been formally assigned and that said parties have accepted and in the future will comply with the conditions and requirements of this order to be by them, or either of them, kept and

performed. Failure to file said written acceptance of the terms of this order within thirty (30) days from the effective date of the order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission.

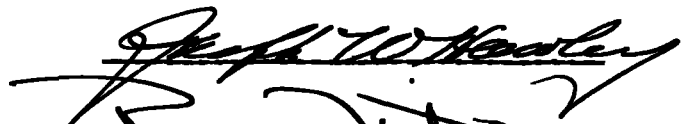
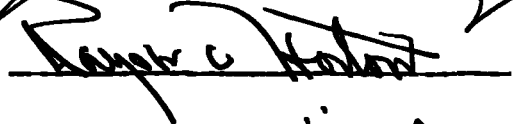
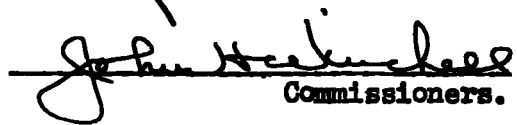
The tariff of rates, rules and regulations of transferor shall become and remain those of transferee until changed according to law and the rules and regulations of this Commission.

The right of transferee to operate under this order shall depend upon the prior filing by transferor of delinquent reports, if any, covering his operations under said certificate, and the payment by him or transferee of all unpaid ton-mile tax.

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

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 19th day of November, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
LOUIS P. WEADICK, DOING BUSINESS AS )  
"EVERGREEN TAXI AND SIGHTSEEING )  
COMPANY," 1182 SOUTH OGDEN STREET, )  
DENVER, COLORADO, FOR AUTHORITY TO ) APPLICATION NO. 12104-Transfer  
TRANSFER PUC NO. 1589 TO M. P. )  
MASTERSON, DOING BUSINESS AS "MASTER- )  
SON AUTO SERVICE," 400 SOUTH SHERMAN )  
STREET, DENVER, COLORADO. )  
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November 19, 1952  
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Appearances: Thomas B. Masterson, Esq., Denver,  
Colorado, for applicants.

S T A T E M E N T

By the Commission:

By Decision No. 22585, of date August 9, 1944, Perry E. Knoll and Mary M. Knoll, co-partners, doing business as "Evergreen Taxi Service," Evergreen, Colorado, were granted a certificate of public convenience and necessity to operate as common carriers by motor vehicle, for the transportation of:

passengers and their baggage, for hire, between points within a radius of fifteen miles of Evergreen, Colorado, without the right to operate on schedule or to engage in sightseeing service,

said operating rights being designated "PUC No. 1589."

Pursuant to authority contained in Decision No. 31482, of date November 8, 1948, said certificate-holders transferred said PUC No. 1589 to Everard P. Miller, Jr., and C. A. Pennington, co-partners, doing business as "Evergreen Taxi and Sightseeing Company," Evergreen, Colorado, who, pursuant to authority contained in Decision No. 37220, of date August 16, 1951, transferred said operating rights to Louis P. Weadick, doing business as "Evergreen Taxi & Sightseeing Company," Denver, Colorado.

By the instant application, said Louis P. Weadick, doing business

as "Evergreen Taxi & Sightseeing Company," Denver, Colorado, seeks authority to transfer said PUC No. 1589 to M. P. Masterson, doing business as "Masterson Auto Service," Denver, 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 passenger-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 application 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 Louis P. Weadick, doing business as "Evergreen Taxi and Sightseeing Company," Denver, Colorado, should be, and he is hereby, authorized to transfer all his right, title, and interest in and to PUC No. 1589 — being the operating rights granted by Decision No. 22585 — to M. P. Masterson, doing business as "Masterson Auto Service," Denver, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said certificate has been formally assigned and that said

parties have accepted and in the future will comply with the conditions and requirements of this order to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this order within thirty (30) days from the effective date of the order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission.


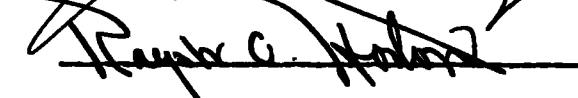
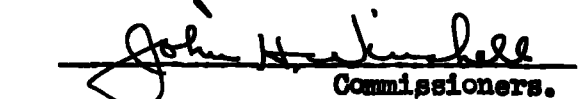
The tariff of rates, rules and regulations of transferor shall become and remain those of transferee until changed according to law and the rules and regulations of this Commission.

The right of transferee to operate under this order shall depend upon the prior filing by transferor of delinquent reports, if any, covering his operations under said certificate, and the payment by him or transferee of all unpaid passenger-mile tax.

That passenger-mile tax deposit of transferor shall be transferred and credited to account of transferee herein.

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 19th day of November, 1952.

mls

original

(Decision No. 39681)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
C. F. ROSEGRANS, DOING BUSINESS AS )  
"VALLEY TAXI SERVICE," 713 SOUTH )  
MAIN STREET, ROCKY FORD, COLORADO, )  
FOR AUTHORITY TO TRANSFER PUC NO. )  
1989 TO LEVI S. HAMM, DOING BUSI- )  
NESS AS "VALLEY TAXI SERVICE," )  
ROUTE 2, ROCKY FORD, COLORADO. )

APPLICATION NO. 11904-Transfer  
SUPPLEMENTAL ORDER

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IN THE MATTER OF THE APPLICATION OF )  
C. F. ROSEGRANS, DOING BUSINESS AS )  
"VALLEY TAXI SERVICE," 713 SOUTH )  
MAIN STREET, ROCKY FORD, COLORADO, )  
FOR AUTHORITY TO TRANSFER PUC NO. )  
1989 TO HAROLD L. WILSON, DOING )  
BUSINESS AS "VALLEY TAXI SERVICE," )  
BOX 166, ROCKY FORD, COLORADO. )  
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APPLICATION NO. 12105-Transfer

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November 19, 1952  
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S T A T E M E N T

By the Commission:

By Decision No. 32650, of date May 17, 1949, Robert E. Gardner, doing business as "Valley Taxi Service," Rocky Ford, Colorado, was granted a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire, on call and demand, for the transportation of:

passengers in cabs of not to exceed six passengers and driver capacity, between points within a radius of ten miles of Rocky Ford, including Rocky Ford, Colorado, and from and to points in said area, to and from points within a radius of seventy-five miles of Rocky Ford, excluding Pueblo, Colorado, and excluding service to, from, or between points in La Junta, Colorado, on business originating in La Junta, at rates non-competitive with rates of line-haul motor vehicle and rail carriers of passengers operating in the above area, notice of any change of rates to be promptly given to such carriers by applicant, and including delivery service of small packages which can be carried in a taxicab, between points in Rocky Ford, Colorado, and points within a radius of five miles thereof,

said operating rights being designated "PUC No. 1989."



Pursuant to authority contained in Decision No. 33606, of date December 5, 1949, said certificate-holder transferred said operating rights to C. F. Rosecrans, doing business as "Valley Taxi Service," Rocky Ford, Colorado, who, pursuant to authority contained in Decision No. 39152, of date July 31, 1952, was authorized to transfer said PUC No. 1989 to Levi S. Hamm, doing business as "Valley Taxi Service," Rocky Ford, Colorado.

On August 19, 1952, "Notice of Withdrawal of Application to Transfer," duly signed by Levi S. Hamm, was filed with the Commission, said Notice being as follows:

"The undersigned applicant, as transferee in the above entitled matter, hereby gives notice that he desires to withdraw said application, and that the certificate heretofore issued by the Public Utilities Commission to C. F. Rosecrans, doing business as 'Valley Taxi Service,' may remain in full force and effect."

By the instant application, C. F. Rosecrans, doing business as "Valley Taxi Service," seeks authority to transfer PUC No. 1989 to Harold L. Wilson, doing business as "Valley Taxi Service," Rocky Ford, Colorado.

Inasmuch as the files of the Commission and the application herein show that said certificate is in good standing; that ten-mile tax deposit is to be transferred to account of transferee; that there are no outstanding unpaid operating obligations against said operation; 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 application 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, inasmuch as Levi S. Hamm elected not to accept the operat-

ing rights known as "PUC No. 1989," authorized to be transferred to him by Decision No. 39152, said Decision No. 39152 should be vacated and set aside.

That the transfer proposed in the instant application is in the public interest, and should be authorized, subject to outstanding indebtedness, if any.

### ORDER

#### THE COMMISSION ORDERS:

That Decision No. 39152, of date July 31, 1952, entered by the Commission in Application No. 11904, should be, and the same is hereby, vacated, set aside, and held for naught.

That C. F. Rosecrans, doing business as "Valley Taxi Service," Rocky Ford, Colorado, should be, and he is hereby, authorized to transfer all his right, title, and interest in and to PUC No. 1989 -- being the operating rights granted by Decision No. 32650 -- to Harold L. Wilson, doing business as "Valley Taxi Service," Rocky Ford, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said certificate has been formally assigned and that said parties have accepted and in the future will comply with the conditions and requirements of this order to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this order within thirty (30) days from the effective date of the order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission.

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.


The right of transferee to operate under this order shall depend

upon the prior filing by transferor of delinquent reports, if any, covering his operations under said certificate, and the payment by him or transferee of all unpaid ton-mile tax.

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
*Joseph T. Hecarley*  
*Ralph C. Watson*  
*John H. Lincoln*  
Commissioners.

Dated at Denver, Colorado,  
this 19th day of November, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )      CASE NO. 383-CL  
ODUS SHELTON, FRASER, COLORADO )      PERMIT NO. B-3830  
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November 19, 1952  
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S T A T E M E N T

By the Commission:

On October 27, 1952, in Case No. 383-CL, the Commission entered an order, cancelling the above-numbered permit for failure of respondent to file 1952 Customer List.

It now appears that said permit-holder has filed said delinquent Customer List.

F I N D I N G S

THE COMMISSION FINDS:

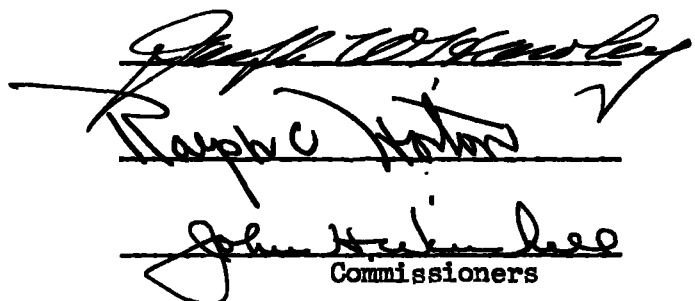
That Permit No. B-3830 should be reinstated and said revocation order set aside.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-3830 should be, and the same is hereby, reinstated, as of October 27, 1952, revocation order entered in Case No. 383-CL being hereby set aside, vacated, and held for naught.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 19th day of November, 1952  
bf

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
EUGENE H. STEWART, BOX 692, AZTEC, ) CASE NO. 448-CL  
NEW MEXICO. ) PERMIT NO. B -4254  
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-----  
November 19, 1952  
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S T A T E M E N T

By the Commission:

On October 27, 1952, in Case No. 448-CL, the Commission entered an order, cancelling the above-numbered permit for failure of respondent to file 1952 Customer List.

It now appears that said Customer List has been filed by permit-holder.

F I N D I N G S

THE COMMISSION FINDS:

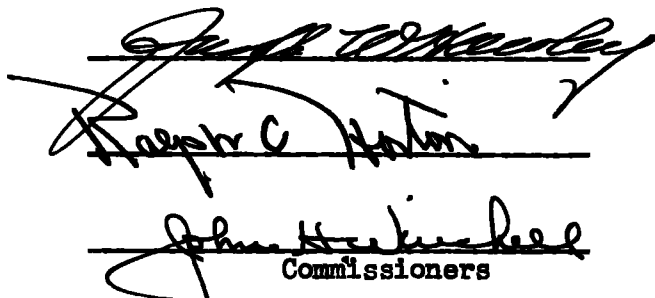
That Permit No. B-4254 should be reinstated and said revocation order set aside.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-4254 should be, and the same is hereby, reinstated, as of October 27, 1952, revocation order entered in Case No. 448-CL being hereby set aside, vacated, and held for naught.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 19th day of November, 1952

bf



original

(Decision No. 39684)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

IN THE MATTER OF THE APPLICATION OF )  
GRAND VALLEY GAS COMPANY, FIRST )  
NATIONAL BANK BUILDING, DENVER, )  
COLORADO, FOR A CERTIFICATE OF )  
PUBLIC CONVENIENCE AND NECESSITY. )  
----- )

APPLICATION NO. 10882  
SUPPLEMENTAL ORDER

-----  
November 19, 1952  
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S T A T E M E N T

By the Commission:

The above entitled application was filed on November 14, 1950, and, after due notice to all interested parties was set for hearing at Denver on July 13, 1951. Subsequent to said hearing the application was dismissed by the Commission for lack of prosecution in response to a motion of protestants at the hearing.

The application was reinstated upon written request by applicant, by the Commission's order of August 17, 1951, Decision No. 37224.

The Commission on November 10, 1952, received a written request from the Attorneys representing applicant in this matter requesting that Application No. 10882 be withdrawn.

F I N D I N G S

THE COMMISSION FINDS:

That at the request of the Attorneys for applicant in Application No. 10882, said application should be permitted to be withdrawn.

O R D E R

THE COMMISSION ORDERS:

That Application No. 10882 be, and it hereby is, permitted to be withdrawn.

That this order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*[Handwritten signatures]*  
Ralph C. Hinton  
John H. Hinkle

Dated at Denver, Colorado,  
this 19th day of November, 1952  
bf

Original

(Decision No. 39685)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JAMES G. CRICHTON, 119 WEST JOHNSON )  
STREET, TRINIDAD, COLORADO, FOR AU- )  
THORITY TO TRANSFER PUC NO. 2430 TO )  
RUDOLPH MAZZA AND FRANK FALSETTO, )  
CO-PARTNERS, DOING BUSINESS AS )  
"PICKETWIRE BUS COMPANY," 730 STONE- )  
WALL AVENUE, TRINIDAD, COLORADO. )  
----- )

APPLICATION NO. 12106  
TRANSFER

-----  
November 19, 1952  
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Appearances: Nicholas C. Dazzo, Esq.,  
Trinidad, Colorado,  
for applicants.

S T A T E M E N T

By the Commission:

By Decision No. 37012, of date July 3, 1951, James G. Crichton, Trinidad, Colorado, was authorized to operate as a common carrier by motor vehicle, for the transportation of:

passengers, on schedule, between Trinidad, Colorado, and Stonewall, Colorado, and intermediate points on Colorado Highway No. 12, which said highway runs in an easterly and westerly direction from Trinidad, Colorado, to Stonewall, Colorado,

said operating rights being designated "PUC No. 2430."

By the instant application, said certificate-holder seeks authority to transfer said PUC No. 2430 to Rudolph Mazza and Frank Falsetto, co-partners, doing business as "Picketwire Bus Company," Trinidad, 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 refunded to transferor; that there are no outstanding unpaid operating obligations against said certificate; that transferees, pecuniarily and otherwise,

are qualified and able to carry on the operation, and it does not appear that any useful purpose would be served by setting said application 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 James G. Crichton, Trinidad, Colorado, should be, and he is hereby, authorized to transfer all his right, title, and interest in and to PUC No. 2430 -- being the operating rights granted by Decision No. 37012 -- to Rudolph Mazza and Frank Falsetto, co-partners, doing business as "Picket-wire Bus Company," Trinidad, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That said transfer shall become effective only if and when, but not before, said transferor and transferees, in writing, have advised the Commission that said certificate has been formally assigned and that said parties have accepted and in the future will comply with the conditions and requirements of this order to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this order within thirty (30) days from the effective date of the order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission.

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

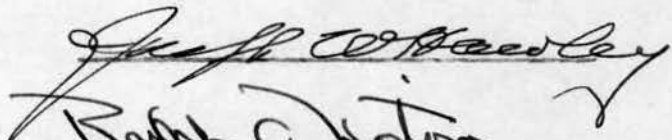
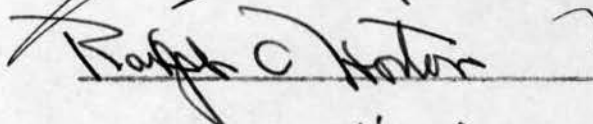

The right of transferees to operate under this order shall depend upon the prior filing by transferor of delinquent reports, if any, covering his operations under said certificate up to the time of the transfer of said certificate, and the payment by transferor or transferees of all unpaid ton-mile tax.



That ten-mile tax deposit of transferor shall be refunded to him.

That 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 19th day of November, 1952.

bf

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
R. D. FINDLEY, 1236 JEFFERSON STREET, )  
LOVELAND, COLORADO, FOR AUTHORITY TO )  
TRANSFER PERMIT NO. B-2544 TO HUBERT )  
H. MC NEILL AND EDITH C. MC NEILL, )  
CO-PARTNERS, 1049 COLORADO AVENUE, )  
LOVELAND, COLORADO. )  
-----

APPLICATION NO. 12108-PP  
TRANSFER

-----  
November 19, 1952  
-----

S T A T E M E N T

By the Commission:

By Decision No. 15472, of date May 31, 1940, Ed Poland, Loveland, Colorado, was granted a Class "B" permit to operate as a private carrier by motor vehicle for hire, for the transportation of:

freight and express for The Colorado and Southern Railway Company and Railway Express Agency, only, within the pick-up and delivery limits of Loveland, Colorado vicinity, as now or hereafter set forth or described in Railway and Express Company tariffs,

said operating rights being known as "Permit No. B-2544."

Pursuant to authority contained in Decision No. 39161, of date July 31, 1952, said permit-holder transferred said operating rights to R. D. Findley, Fort Collins, Colorado, who, by the instant application, seeks authority to transfer said Permit No B-2544 to Hubert H. McNeill and Edith H. McNeill, co-partners, Loveland, 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 ten-mile tax deposit is to be transferred to account of transferees; that transferees, pecuniarily and otherwise, are qualified and able to carry on the operation, and it does not appear that any useful purpose would be served by setting said application 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 R. D. Findley, Loveland, Colorado, should be, and he is hereby, authorized to transfer all his right, title, and interest in and to Permit No. B-2544 -- being the operating rights granted by Decision No. 15472 -- to Hubert H. McNeill and Edith H. McNeill, co-partners, Loveland, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.


That said transfer shall become effective only if and when, but not before, said transferor and transferees, in writing, have advised the Commission that said permit has been formally assigned and that said parties have accepted and in the future will comply with the conditions and requirements of this order to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this order within thirty (30) days from the effective date of the order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission.

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, and the prior filing by transferor of delinquent reports, if any, covering his operations under said permit up to the time of transfer of said permit, and the payment by him or transferees of all unpaid ton-mile tax.

That ton-mile tax deposit of transferor shall be transferred and credited to account of transferees herein.

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

  
*Ralph C. Horton*  
*Ralph C. Horton*  
*John H. Kinschell*  
Commissioner

Dated at Denver, Colorado  
this 19th day of November, 1952.

bf



Original

(Decision 39687)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE INCREASES IN RATES ON )  
PETROLEUM AND PETROLEUM )  
PRODUCTS IN BULK IN TANK )  
TRUCKS. )  
-----

CASE NO. 1535

-----  
November 18, 1952  
-----

S T A T E M E N T

By the Commission:

In its application No. 62, the Colorado Motor Carriers' Association, as agent, for and on behalf of all motor vehicle common carriers, parties to its tariff No. 7, Colo. P.U.C. No. 7, jointly with R. B. "Dick" Wilson, Inc., requested authority to increase by six (6) per cent the rates on petroleum and petroleum products in bulk in tank trucks from Denver, Dupont and La Junta, Colorado, to destinations in Plains Territory.

By its order dated July 17, 1952, (Decision No. 39011), the Commission assigned the said application for hearing on July 30, 1952 before Examiner T. S. Wood.

On October 28, 1952, Examiner Wood submitted to all parties of record his proposed report recommending that the applicants request be authorized and prescribed.

On November 7, 1952, The Colorado Motor Carriers' Association and R. B. "Dick" Wilson jointly, filed a petition to amend its original application whereby any rate increases granted pursuant to the application be made applicable to all motor vehicle common carriers who may participate in such traffic.

F I N D I N G S

THE COMMISSION FINDS:

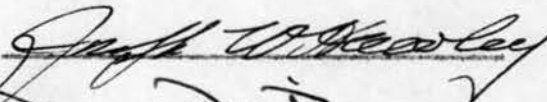
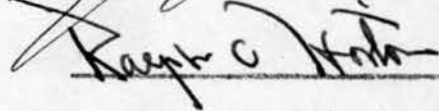
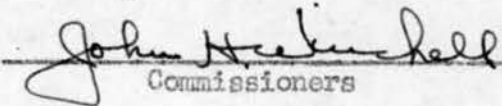
That, the question of accepting the "Petition to Amend Application" should be assigned for oral argument; and that all parties of interest should be notified.

ORDER

THE COMMISSION ORDERS:

That the question of accepting the "Petition to Amend Application", be and the same is hereby assigned for oral argument before the Commission at 10:00 o'clock A.M., December 1, 1952, in the hearing room of the Commission, 330 State Office Building, Denver, Colorado and that copies of this order be forthwith served on all parties of interest to the best of our knowledge.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 18th day of November, 1952.

hs

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
S. C. McCLURE, EATON, COLORADO, FOR )  
AUTHORITY TO TRANSFER PERMIT NO. ) APPLICATION NO. 12109-PF-Transfer  
B-2066 TO SAM McCLURE & SONS, INC., )  
EATON, COLORADO. )  
-----

-----  
November 19, 1952  
-----

S T A T E M E N T

By the Commission:

By the instant application, S. C. McClure, Eaton, Colorado, owner and operator of Permit No. B-2066, seeks authority to transfer said operating rights to Sam McClure & Sons, Inc., a corporation, Eaton, Colorado.

Said permit was originally granted by Decision No. 11407, of date February 14, 1938, amended by Decision No. 11574, of date March 17, 1938, and extended by Decision No. 25190, of date November 28, 1945.

By Decision No. 34481, of date March 29, 1950, said Permit No. B-2066 was amended and restricted, at the request of permit-holder to authorize:

"transportation of potatoes and grain from farms within a radius of ten miles of Eaton, to storage, loading points and mill therein; wheat from farms within a radius of fifteen miles of Nunn, Colorado, to elevators within the area."

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 and able to carry on the operation, and it does not appear that any useful purpose would be served by setting said application for formal hearing; there being no one, insofar as the files disclose, who would desire to be heard in



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 S. C. McClure, Eaton, Colorado, should be, and he is hereby, authorized to transfer all his right, title, and interest in and to Permit No. B-2066 — being the operating rights as set forth in Decision No. 34481 — to Sam McClure & Sons, Inc., a corporation, Eaton, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said permit has been formally assigned and that said parties have accepted and in the future will comply with the conditions and requirements of this order to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this order within thirty (30) days from the effective date of the order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission.

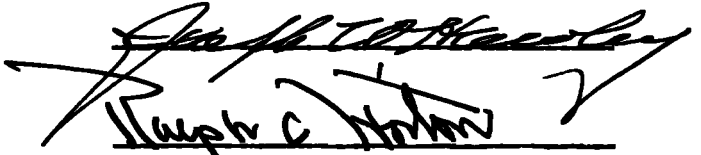

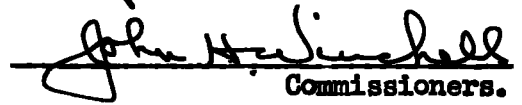
The right of transferee to operate under this order shall depend upon his compliance with all present and future laws and rules and regulations of the Commission, and the prior filing by transferor of delinquent reports, if any, covering his operations under said permit up to the time of transfer of said permit, and the payment by him or transferee of all unpaid ton-mile tax.

That ton-mile tax deposit of transferor shall be transferred and

credited to account of transferee herein.

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 19th day of November, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
MAX DAWSON AND WESLEY CORBETT, CO- )  
PARTNERS, DOING BUSINESS AS "DAWSON )  
& CORBETT," RAWLINS, WYOMING, FOR )  
AUTHORITY TO TRANSFER INTERSTATE )  
OPERATING RIGHTS TO MAX DAWSON, )  
DOING BUSINESS AS "DAWSON TRUCKING )  
COMPANY," BOX 843, RAWLINS, WYOMING. )  
-----

PUC NO. 1653-I-Transfer

-----  
November 19, 1952  
-----

Appearances: Marion F. Jones, Esq., Denver,  
Colorado, for applicants.

S T A T E M E N T

By the Commission:

Heretofore, Max Dawson and Wesley Corbett, co-partners, doing business as "Dawson & Corbett," Rawlins, Wyoming, were authorized, subject to the provisions of the Federal Motor Carrier Act of 1935, to operate as common carriers by motor vehicle, in interstate commerce, and PUC No. 1653-I issued to them.

Said certificate-holders now seek authority to transfer said operating rights to Max Dawson, doing business as "Dawson Trucking Company," Rawlins, Wyoming, said Wesley Corbett being desirous of withdrawing from said partnership.

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 Max Dawson and Wesley Corbett, co-partners, doing business as "Dawson & Corbett," Rawlins, Wyoming, should be, and they are

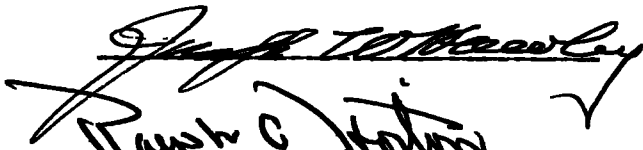
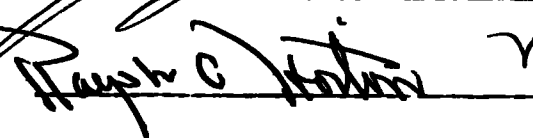
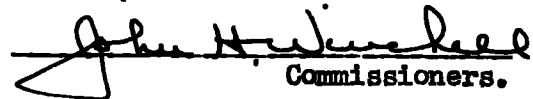
hereby, authorized to transfer all their right, title, and interest in and to PUC No. 1653-I to Max Dawson, doing business as "Dawson Trucking Company," Rawlins, Wyoming, said Wesley Corbett being hereby authorized to withdraw from said partnership.

That transfer herein authorized is subject to the provisions of the Federal Motor Carrier Act of 1935, and subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That ton-mile tax deposit of transferors shall be transferred and credited 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

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 19th day of November, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
ED RUTT, 119 SOUTH ELEVENTH STREET,  
BRIGHTON, COLORADO, FOR A CERTIFI-  
CATE OF PUBLIC CONVENIENCE AND  
NECESSITY.  
-----

APPLICATION NO. 11987

-----  
November 20, 1952  
-----

Appearances: E. B. Evans, Esq., Denver,  
Colorado, for applicant.

S T A T E M E N T

By the Commission:

Inasmuch as motion has been interposed by E. B. Evans, Esq.,  
in behalf of applicant herein, that the above-styled application be  
dismissed,

F I N D I N G S

THE COMMISSION FINDS:

That said application should be dismissed.

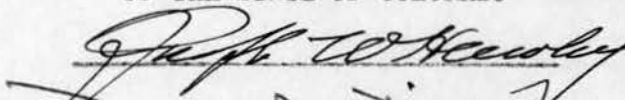
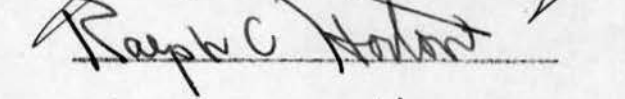

O R D E R

THE COMMISSION ORDERS:

That the above-styled application should be, and the same  
is hereby, dismissed, at request of attorney for applicant.

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 20th day of November, 1952.

original

(Decision No. 39691)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF	}	PUC NO. 1380-I-Transfer
WEADICK TRANSPORTATION CO., BOX		
2129, CASPER, WYOMING, FOR AUTHORITY		
TO TRANSFER INTERSTATE OPERATING		
RIGHTS TO BELL TRANSPORTATION CO.,		
P. O. BOX 8598, HOUSTON, TEXAS.	}	
-----	}	

-----  
November 20, 1952  
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Appearances: Truman A. Stockton, Jr., Esq.,  
Denver, Colorado, for  
applicants.

S T A T E M E N T

By the Commission:

Heretofore, Weadick Transportation Co., Casper, Wyoming, 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. 1380-I issued to it.

Said certificate-holder now seeks authority to transfer said operating rights to Bell Transportation Co., Houston, Texas.

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 Weadick Transportation Co., Casper, Wyoming, should be, and it is hereby, authorized to transfer all its right, title, and interest in and to PUC No. 1380-I to Bell Transportation Co., Houston, Texas, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That transfer of operating rights herein authorized is subject to the provisions of the Federal Motor Carrier Act of 1935.

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Ralph C. Johnson*  
*John H. Winchell*  
Commissioners.

Dated at Denver, Colorado,  
this 20th day of November, 1952.

ea



original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
THEODORE GROVES AND ELIZABETH )  
GROVES, CO-PARTNERS, DOING BUSI- )  
NESS AS "GROVES CONSTRUCTION COM- )  
PANY," 44 EL PASO BOULEVARD, )  
MANITOU SPRINGS, COLORADO. )  
----- )

PERMIT NO. B-1501

IN THE MATTER OF THE APPLICATION )  
OF THEODORE GROVES AND ELIZABETH )  
GROVES, CO-PARTNERS, DOING BUSINESS )  
AS "GROVES CONSTRUCTION COMPANY," )  
44 EL PASO BOULEVARD, MANITOU )  
SPRINGS, COLORADO, FOR AUTHORITY )  
TO TRANSFER PERMIT NO. B-1501 TO )  
BERTON GROVES, 730 NORTH PINE )  
STREET, COLORADO SPRINGS, COLORADO. )  
----- )

APPLICATION NO. 12113-PP-Transfer

-----  
November 20, 1952  
-----

S T A T E M E N T

By the Commission:

By Decision No. 6941, of date December 21, 1935, Theodore Groves, Manitou Springs, Colorado, was authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of:

coal from Denver and Rio Grande freight yards at Manitou and Colorado Springs and the Pikes View Mine, to Colorado Springs, Manitou, and Lake George; sand, gravel, and rock, brick, reinforcing iron, and building contractors' equipment from Manitou to Colorado Springs or from Manitou and Colorado Springs to mountain cabins, suburban towns, and summer resorts in the vicinity thereof; fertilizer from dairies and ranches within a radius of fifty miles of Colorado Springs to Colorado Springs and its suburban towns; white quartz from Divide to Colorado Springs for Manitou-Greenstone Company; posts, piling and poles from points on Highway No. 50 within a radius of fifty miles of Colorado Springs to Colorado Springs, Colorado,

said operating rights being designated "Permit No. B-1501."

By Decision No. 10385, of date July 21, 1937, said Permit No. B-1501 was extended to include the right to transport:

sand, gravel, rock, clay products and dirt from point to point within a radius of fifty miles of Colorado Springs; native, rough lumber and slabs from mills to summer resorts located within a radius of twenty miles of Colorado Springs; lumber and building material from yards at Colorado Springs to points west thereof, not extending twenty miles distant, and excluding Manitou; cement from Colorado Springs and railroad points to highway jobs under construction within fifty miles of Colorado Springs, provided, however, applicant shall not engage in any transportation service transporting finished lumber between points on U. S. Highways Nos. 84 and 24.

Pursuant to authority contained in Decision No. 30410, of date May 6, 1948, said certificate-holder transferred Permit No. B-1501 to Theodore Groves and Berton Groves, co-partners, doing business as "Theodore Groves & Son," Manitou Springs, Colorado, who, pursuant to authority contained in Decision No. 35532, of date October 24, 1950, transferred said operating rights to Theodore Groves and Elizabeth Groves, co-partners, doing business as "Groves Construction Company," Manitou Springs, Colorado.

By Decision No. 38463, of date April 25, 1952, said permit-holders were authorized to suspend operations under Permit No. B-1501 until October 17, 1952, with reinstatement provisos.

By the instant application, filed September 5, 1952, Theodore Groves and Elizabeth Groves, co-partners, doing business as "Groves Construction Company," seek authority to transfer Permit No. B-1501 to Berton Groves, Colorado Springs, 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, 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 application, 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-1501 should be reinstated, effective October 17, 1952.

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 Permit No. B-1501 should be, and the same is hereby, reinstated, as of October 17, 1952.

That Theodore Groves and Elizabeth Groves, co-partners, doing business as "Groves Construction Company," Manitou Springs, Colorado, should be, and they are hereby, authorized to transfer all their right, title, and interest in and to Permit No. B-1501 -- being the operating rights granted by Decisions Nos. 6941 and 10385 -- to Berton Groves, Colorado Springs, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

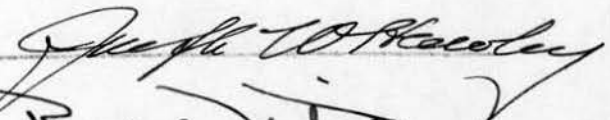
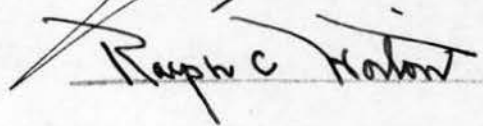
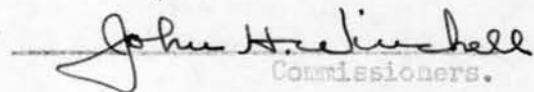
That said transfer shall become effective only if and when, but not before, said transferors and transferee, in writing, have advised the Commission that said permit has been formally assigned and that said parties have accepted and in the future will comply with the conditions and requirements of this order to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this order within thirty (30) days from the effective date of the order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission.

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, and the prior filing by transferors of delinquent reports, if any, covering their operations under said permit up to the time of transfer of said permit, and the payment by them or transferee of all unpaid ton-mile tax.

That ton-mile tax deposit of transferors shall be transferred and credited to account of transferee herein.

This order is made a part of the permit authorized to be transferred, and shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 20th day of November, 1952.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

CELESTINO GALLEGOS,  
San Pablo, Colorado,

Complainant,

v.

CASE NO. 5047

YOCKEY TRUCKING COMPANY, INC.,  
a corporation, 626 Livestock  
Exchange Building, Denver,  
Colorado,

Defendant.

-----  
November 20, 1952  
-----

Appearances: Jesse E. Pound, Esq., Alamosa,  
Colorado, for Complainant;  
Stockton, Linville and Lewis,  
Esqs., Denver, Colorado,  
for Defendant.

S T A T E M E N T

By the Commission:

On October 15, 1952, Complaint was filed in the above-  
styled case by Celestino Gallegos, San Pablo, Colorado, by Jesse E.  
Pound, Attorney.

Thereafter, and on October 20, 1952, Order to Satisfy or  
Answer was issued by the Commission.

The Commission is in receipt of a communication from Jesse E.  
Pound, attorney for Complainant herein, of date November 17, 1952, to  
the effect that said Case No. 5047 may now be dismissed.

F I N D I N G S

THE COMMISSION FINDS:

That the above-styled case should be dismissed, as requested  
by attorney for Complainant.



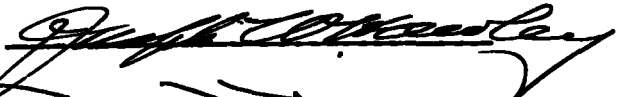
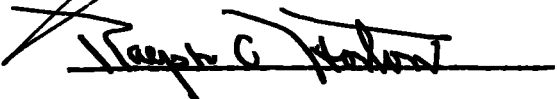

O R D E R

THE COMMISSION ORDERS:

That the above-styled case should be, and the same is hereby,  
dismissed, at request of attorney for Complainant.

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 20th day of November, 1952.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
NORMAN B. WELLS & HENRY BOG- )  
LIND, DOING BUSINESS AS )  
"TIPOTSCH MINE," BOX 387, ) PERMIT NO. C-28480  
SILVERTON, COLORADO. )  
----- )

-----  
November 28, 1952  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Norman B. Wells & Henry Boglind, dba "Tipotsch Mine"  
-----  
requesting that Permit No. C-28480-----be cancelled.

F I N D I N G S

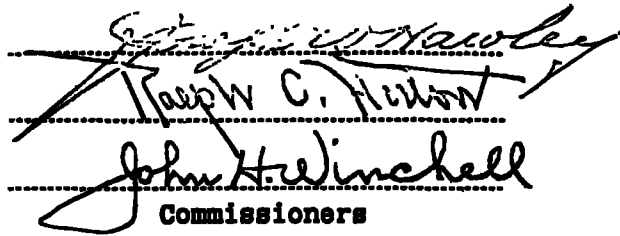
THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-28480-----, heretofore issued to-----  
Norman B. Wells & Henry Boglind, dba "Tipotsch Mine"-----be,  
and the same is hereby, declared cancelled effective October 5, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
  
Commissioners

Dated at Denver, Colorado,  
this 28th day of November, 1952.  
mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
HERMAN FRIEDMAN, DOING BUSINESS )  
AS "WONDER FABRIC CENTER," )  
1616 STOUT ST., DENVER 2, ) PERMIT NO. C-28464  
COLORADO. )  
----- )

-----  
November 28, 1952  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Herman Friedman, dba "Wonder Fabric Center"-----  
requesting that Permit No. C-28464 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-28464, heretofore issued to-----  
Herman Friedman, dba "Wonder Fabric Center"----- be,  
and the same is hereby, declared cancelled effective November 7, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Harold W. C. Nelson*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,  
this 28th day of November, 1952.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
MELVIN R. KIMBER, LA PORTE, )  
COLORADO. )

PERMIT NO. C-28439

November 28, 1952

S T A T E M E N T

By the Commission:

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

.....Melvin R. Kimber.....

requesting that Permit No. C-28439.....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-28439....., heretofore issued to.....

.....Melvin R. Kimber.....be,

and the same is hereby, declared cancelled effective October 6, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Joseph W. C. Hickson*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 28th day of November, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
CARLOS MAESTAS, DOING BUSINESS )  
AS "PACIFIC USED CARS," 1616 )  
SO. PACIFIC, LAS VEGAS, NEW ) PERMIT NO. C-28317  
MEXICO. )  
----- )

-----  
November 28, 1952  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Carlos Maestas, dba "Pacific Used Cars"  
-----  
requesting that Permit No. C-28317 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-28317, heretofore issued to-----  
Carlos Maestas, dba "Pacific Used Cars" be,  
-----  
and the same is hereby, declared cancelled effective November 7, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Herb W. C. Norton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,  
this 28th day of November, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
LARRY R. ISBELL, 1207 EAST )  
35TH AVENUE, DENVER, COLORADO. )  
 ) PERMIT NO. C-28178  
 )  
 )  
 )  
-----

-----  
November 28, 1952  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Larry R. Isbell  
.....  
requesting that Permit No. C-28178 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-28178, heretofore issued to.....  
Larry R. Isbell.....be,  
and the same is hereby, declared cancelled effective November 7, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Robert C. Hawley*  
*Joseph C. Tilton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,  
this 28th day of November, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
FRED J. JANKOW, BOX 555, )  
MINTURN, COLORADO. )  
 ) PERMIT NO. C-27321  
 )  
 )  
 )  
-----

-----  
November 28, 1952  
-----

S T A T E M E N T

By the Commission:

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

-----  
Fred J. Jankow  
-----

requesting that Permit No. C-27321 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-27321, heretofore issued to-----

-----  
Fred J. Jankow  
-----be,

and the same is hereby, declared cancelled effective November 7, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Robert C. Hawley*  
\_\_\_\_\_  
*Robert C. Hawley*  
\_\_\_\_\_  
*John H. Winchell*  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,

this 28th day of November, 195 2.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
WALTER D. PATTERSON, ROUTE 1, )  
LAS ANIMAS, COLORADO. )  
)  
)  
)  
-----

PERMIT NO. C-27200

-----  
November 28, 1952  
-----

S T A T E M E N T

By the Commission:

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

-----  
Walter D. Patterson  
-----

requesting that Permit No. C-27200 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-27200, heretofore issued to-----

-----  
Walter D. Patterson  
-----be,

and the same is hereby, declared cancelled effective November 7, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

-----  
*Robert C. Hawley*  
-----  
*Frank W. C. Hinton*  
-----  
*John H. Winchell*  
-----  
Commissioners

Dated at Denver, Colorado,

this 28th day of November, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
WARREN T. CLOWE, DOING BUSINESS )  
AS "TABLE SUPPLY MARKET," 812 )  
WEST COLORADO AVENUE, COLORADO ) PERMIT NO. C-24736  
SPRINGS, COLORADO. )  
 )  
 )  
-----

-----  
November 28, 1952  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
-----Warren T. Clowe, dba "Table Supply Market"-----  
requesting that Permit No. C-24736-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

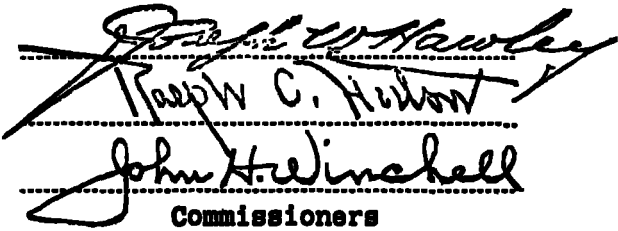
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-24736-----, heretofore issued to-----  
-----Warren T. Clowe, dba "Table Supply Market"-----be,  
and the same is hereby, declared cancelled effective March 1, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 28th day of November, 1952.  
mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
RAYMOND STROH, 1405 WASHINGTON, )  
LOVELAND, COLORADO. )

) PERMIT NO. C-17496  
)  
)  
)

-----  
November 28, 1952  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
-----Raymond Stroh-----  
requesting that Permit No...C-17496.....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-17496, heretofore issued to-----  
-----Raymond Stroh-----be,  
and the same is hereby, declared cancelled effective November 7, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Robert W. Hawley*  
*Harold C. Horton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,  
this 28th day of November, 1952.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
S. FLOYD & MAUDE L. BRUCKNER, )  
GRAND VALLEY, COLORADO. )

PERMIT NO. C-18109

November 28, 1952

S T A T E M E N T

By the Commission:

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

S. Floyd & Maude L. Bruckner

requesting that Permit No. C-18109 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-18109, heretofore issued to.....

S. Floyd & Maude L. Bruckner be,

and the same is hereby, declared cancelled effective November 3, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Robert W. Hawley*  
*Ralph W. C. Norton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 28th day of November, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
C. R. VOSS, DOING BUSINESS AS )  
"SUN VALLEY DAIRY," 713 EAST )  
4TH STREET, PUEBLO, COLORADO. ) PERMIT NO. C-17120  
)  
)  
-----

-----  
November 28, 1952  
-----

S T A T E M E N T

By the Commission:

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

-----  
C. R. Voss, dba "Sun Valley Dairy"  
-----

requesting that Permit No. C-17120 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-17120, heretofore issued to-----

-----  
C. R. Voss, dba "Sun Valley Dairy" be,

and the same is hereby, declared cancelled effective November 7, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Robert W. Hawley*  
\_\_\_\_\_  
*Ralph C. Horton*  
\_\_\_\_\_  
*John H. Winchell*  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,

this 28th day of November, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
O. B. GARTH, 403 GRAND AVENUE, )  
GRAND JUNCTION, COLORADO. )  
 )  
 )  
 )  
 )

PERMIT NO. C-16326

-----  
November 28, 1952  
-----

S T A T E M E N T

By the Commission:

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

-----  
O. B. Garth  
-----

requesting that Permit No. C-16326 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-16326, heretofore issued to-----

-----  
O. B. Garth  
-----

be,

and the same is hereby, declared cancelled effective November 5, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Ralph W. Hawley*  
\_\_\_\_\_  
*Ralph W. C. Horton*  
\_\_\_\_\_  
*John H. Winchell*  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,

this 28th day of November, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
HARRY WALTER ELLSWOOD, BOX )  
1511, PUEBLO, COLORADO. )  
)  
)  
)  
)

PERMIT NO. C-18942

-----  
November 28, 1952  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
.....Harry Walter Ellswood.....  
requesting that Permit No. C-18942.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

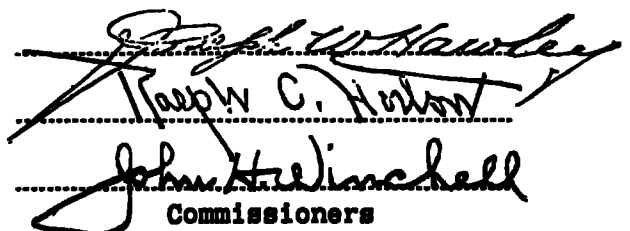
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-18942....., heretofore issued to.....  
.....Harry Walter Ellswood.....be,  
and the same is hereby, declared cancelled effective November 24, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 28th day of November, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
LLOYD KULHANEK, FRUITA, )  
COLORADO. )  
 )  
 )  
 )

PERMIT NO. C-22867

-----  
November 28, 1952  
-----

S T A T E M E N T

By the Commission:

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

-----Lloyd Kulhanek-----

requesting that Permit No. C-22867 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-22867, heretofore issued to-----

-----Lloyd Kulhanek-----be,

and the same is hereby, declared cancelled effective October 9, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\_\_\_\_\_  
Ralph W. C. Horton  
\_\_\_\_\_  
John H. Winchell  
Commissioners

Dated at Denver, Colorado,

this 28th day of November, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
MANUEL MARES, DOING BUSINESS AS )  
"MARES FURNITURE STORE," 454 )  
WEST MAIN STREET, TRINIDAD, )  
COLORADO. )  
----- )

PERMIT NO. C-23375

-----  
November 28, 1952  
-----

S T A T E M E N T

By the Commission:

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

-----Manual Mares, dba "Mares Furniture Store"-----

requesting that Permit No. C-23375 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-23375, heretofore issued to-----

-----Manuel Mares, dba "Mares Furniture Store"-----be,

and the same is hereby, declared cancelled effective October 16, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

-----  
-----  
-----  
-----  
-----  
Commissioners

Dated at Denver, Colorado,

this 28th day of November, 1952.

mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ROY COUSINS, DOING BUSINESS AS )  
"FOOD LAND MARKET," 11TH & )  
SOUTH ASH, CASPER, WYOMING. )  
)  
)  
-----

PERMIT NO. G-24205

-----  
November 28, 1952  
-----

S T A T E M E N T

By the Commission:

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

----- Roy Cousins, dba "Food Land Market" -----

requesting that Permit No. G-24205 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

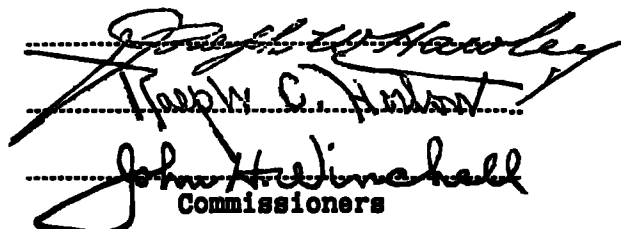
THE COMMISSION ORDERS:

That Permit No. G-24205, heretofore issued to-----

----- Roy Cousins, dba "Food Land Market" ----- be,

and the same is hereby, declared cancelled effective November 6, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,

this 28th day of November, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
MELVIN STIMBERT, DOING BUSINESS )  
AS "CLIFTON MOTORS," CLIFTON, )  
COLORADO. )

PERMIT NO. C-26625

November 28, 1952

S T A T E M E N T

By the Commission:

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

Melvin Stimbert, dba "Clifton Motors"

requesting that Permit No. C-26625 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-26625, heretofore issued to.....

Melvin Stimbert, dba "Clifton Motors" be,

and the same is hereby, declared cancelled effective November 7, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph C. Hawley*  
*Ralph W. G. Hinton*  
*John H. Winchell*

Commissioners

Dated at Denver, Colorado,

this 28th day of November, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
GABE MARTINEZ, BOX 103, )  
FREDERICK, COLORADO. )  
)  
)  
)  
)  
-----

PERMIT NO. C-26079

-----  
November 28, 1952  
-----

S T A T E M E N T

By the Commission:

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

-----  
Gabe Martinez  
-----

requesting that Permit No. C-26079 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-26079, heretofore issued to-----

-----  
Gabe Martinez  
----- be,

and the same is hereby, declared cancelled effective November 7, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph C. Hinton*  
-----  
*John H. Winchell*  
-----

Commissioners

Dated at Denver, Colorado,

this 28th day of November, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF )  
W. S. RANCH COMPANY, CIMARRON, )  
NEW MEXICO. )  
 )  
 )  
 )  
 )  
-----

PERMIT NO. C-25947

-----  
November 28th, 1952  
-----

S T A T E M E N T

By the Commission:

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

-----  
W. S. Ranch Company  
-----

requesting that Permit No. C-25947 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-25947-----, heretofore issued to-----

-----be,

and the same is hereby, declared cancelled effective November 7, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
*Joseph C. Hawley*  
*Robert C. Keston*  
*John H. Winchell*  
-----  
Commissioners

Dated at Denver, Colorado,  
this 28th day of November, 1952.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF )  
WM. C. KREOGER, ROUTE 4, )  
BURLINGTON, COLORADO. )  
 ) PERMIT NO. C-26977  
 )  
 )  
 )  
-----

-----  
November 28, 1952  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
----- Wm. C. Kreoger -----  
requesting that Permit No. C-26977 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-26977, heretofore issued to-----  
----- Wm. C. Kreoger ----- be,  
and the same is hereby, declared cancelled effective November 7, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
*Joseph W. Hawley*  
*Harold C. Nelson*  
*John H. Winchell*  
-----  
Commissioners

Dated at Denver, Colorado,  
this 28th day of November, 195 2.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
EMERY A. SCHNEIDER, GENERAL DELIVERY, )  
PINE, COLORADO, FOR A CLASS "B" PER- ) APPLICATION NO. 12090-PP  
MIT TO OPERATE AS A PRIVATE CARRIER )  
BY MOTOR VEHICLE FOR HIRE. )  
----- )

-----  
November 21, 1952  
-----

S T A T E M E N T

By the Commission:

The above-styled application was filed October 6, 1952, and regularly set for hearing at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, November 19, 1952, at ten o'clock A. M., with notice to all parties in interest.

The Commission is now in receipt of a communication from applicant requesting cancellation of said application.

F I N D I N G S

THE COMMISSION FINDS:

That the above-styled application should be dismissed, at request of applicant.

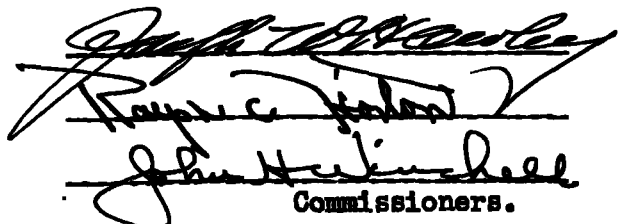
O R D E R

THE COMMISSION ORDERS:

That Application No. 12090-PP should be, and the same is hereby, dismissed, at request of applicant.

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 21st day of November, 1952.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
HENRY DURAN, 671 SOUTH PERRY STREET, )  
DENVER, COLORADO, FOR A CLASS "B" ) APPLICATION NO. 12084-PP  
PERMIT TO OPERATE AS A PRIVATE CAR- )  
RIER BY MOTOR VEHICLE FOR HIRE. )  
----- )

-----  
November 21, 1952  
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A ppearances: Henry Duran, Denver, Colo-  
rado, pro se;  
Merle R. Knous, Esq., Denver,  
Colorado, for South Park  
Motor Lines.

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  
forest and sawmill products from forests and sawmills within a radius  
of 75 miles of Bailey, Colorado, to points in said area.

Said application, pursuant to prior setting, after appropriate  
notice to all parties in interest, was heard at the Hearing Room of the  
Commission, 330 State Office Building, Denver, Colorado, November 18,  
1952, at ten o'clock A. M., and at the conclusion of the evidence, the  
matter was taken under advisement.

At the hearing, Henry Duran, the applicant, testified that he  
is now operating under a letter of temporary authority granted by the  
Commission; that he is the owner of a 2½-ton 1948 International Truck  
with a bob-tail body; that he has been engaged in hauling logs for the  
past ten years in business with his father; that he has a contract with  
the Kenosha Lumber Company, Bailey, Colorado, and is now hauling for them  
under his temporary authority; that his net worth is approximately \$7,000.00;  
that he seeks only authority to transport logs from an area within a radius  
of 75 miles of Bailey, Colorado, to the sawmill of the Kenosha Lumber  
Company at Bailey, Colorado.

Louise Esche, partner in the South Park Motor Lines, owners of PUC No. 1026, testified in opposition to the granting of the authority; that they offered a line-haul scheduled service from Denver, Colorado, to Bailey, Colorado, and needed all of the back freight they could get; that any business taken by the applicant would injure their operation.

The operating experience and pecuniary responsibility of applicant were established to the satisfaction of the Commission.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the permit should issue as limited by the order following.

### O R D E R

#### THE COMMISSION ORDERS:

That Henry Duran, Denver, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of logs and other forest products from an area within a radius of 75 miles of Bailey, Colorado, to the sawmill of Kenosha Lumber Company near Bailey, Colorado, with no town-to-town service and no service in competition with line-haul scheduled carriers.

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

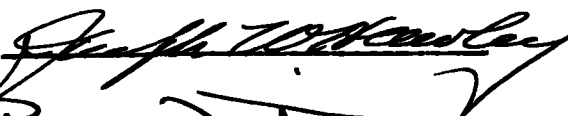


That this order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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 twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 21st day of November, 1952.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
ERNEST CARTON, NIWOT, COLORADO, FOR )  
A CLASS "B" PERMIT TO OPERATE AS A ) APPLICATION NO. 12085-PP  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
-----)

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November 21, 1952  
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Appearances: Ernest Carton, Niwot,  
Colorado, pro se;  
Marion F. Jones, Esq.,  
Denver, Colorado, for  
Sorenson Truck Service.

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 clay, brick, tile and shale from pits and supply points within a radius of 20 miles of Longmont, Colorado, to points in said area; sand, gravel and road surfacing materials from pits and supply points in Colorado to road and building construction jobs within a radius of 50 miles of said pits and supply points, excluding service in Clear Creek and Gilpin Counties; coal from mines in the northern Colorado coal fields to points within a radius of 20 miles of Longmont, including service to the Valmont Plant of Public Service Company; and water from Longmont to the Town of Niwot, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, November 18, 1952, at ten o'clock A. M., and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, the applicant testified that he is now engaged in hauling raw material for the production of brick and tile from the area within a 20-mile radius of Longmont, Colorado, to the plants of the Longmont

Brick and Tile Company located at Longmont, Colorado, and Valmont, Colorado; that he is presently operating under a letter of temporary authority granted by the Commission; that he has a contract with the Longmont Brick and Tile Company to continue the use of his service if the instant application is granted; that he desires authority to haul brick and tile from said plants to customers within the 20-mile radius of Longmont. At times the Company has business in excess of that they are able to deliver by their own trucks; that the Company does all of its own hauling and, therefore, would be taking no business from common carriers authorized to serve the area; that he is the owner of a 1952 International Truck with a 4-yard dump body; that he has had 7 years experience in driving trucks; and that his net worth is approximately \$10,000.00.

Marion F. Jones, Esq., Denver, Colorado, protesting on behalf of Sorenson Truck Service, stated that Sorenson could use any additional business which might arise through the Longmont Brick and Tile Company requiring extra hauling service; that they had ample equipment to render such service.

The operating experience and pecuniary responsibility of applicant were established to the satisfaction of the Commission.

It did not appear from the testimony that the proposed operation of the applicant would in any way impair the service of any common carrier authorized to do business in the area.

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

##### THE COMMISSION FINDS:

That the permit should issue as limited by the Order following.

#### O R D E R

##### THE COMMISSION ORDERS:

That Ernest Carton, Niwot, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of clay, shale, and other raw material for the manufacture of brick and tile from pits and supply points within a radius of 20 miles of Longmont, Colorado, to plants of the Longmont Brick and Tile

Company at Longmont, Colorado and Valmont, Colorado; brick and tile for the Longmont Brick and Tile Company, only, from their plants at Longmont, Colorado, and Valmont, Colorado, to points within a radius of 20 miles of Longmont, Colorado; sand, gravel and road-surfacing materials from pits and supply points in Colorado to road and building construction jobs within a radius of 50 miles of said pits and supply points, excluding service in Clear Creek and Gilpin Counties; coal from mines in the northern Colorado coal fields to points within a radius of 20 miles of Longmont, Colorado, including service to the Valmont Plant of Public Service Company; and water from Longmont to the Town of Niwot, Colorado.

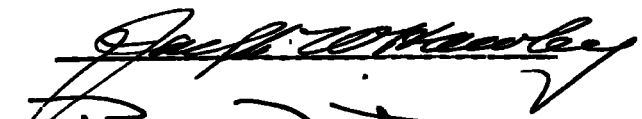
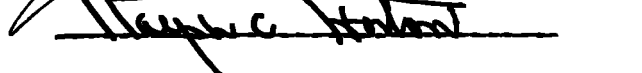
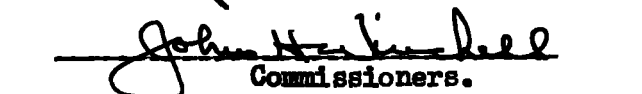
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 21st day of November, 1952.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
DELBERT RICHARDSON, BURLINGTON, COLO- )  
RADO, FOR AUTHORITY TO SELL, ASSIGN, )  
AND TRANSFER CERTIFICATE OF PUBLIC ) APPLICATION NO. 12083-Transfer  
CONVENIENCE AND NECESSITY NUMBER )  
PUC-2381 TO WILBUR C. RICHARDSON, )  
BURLINGTON, COLORADO. )  
----- )

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November 21, 1952  
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Appearances: Richard D. Thomas, Esq.,  
Burlington, Colorado,  
for applicant.

S T A T E M E N T

By the Commission:

By Decision No. 38459, dated April 18, 1952, Delbert Richardson,  
Burlington, Colorado, was granted PUC No. 2381 for the operations as a common  
carrier by motor vehicle for hire for the transportation, not on schedule, of:

milk, cream, and eggs from points along the route  
hereinafter described to markets in Colorado Springs  
and Denver and a return haul of empty cans and con-  
tainers and rejected shipments of milk and cream,  
together with processed dairy products in containers,  
on a call and demand basis, to the area, routes or  
points to be served as follows:

- A. Along U. S. Highway No. 36 from the Colorado-  
Kansas State line on the east to the town of  
Cope, Colorado, on the west with pick ups at  
Idalia, Kirk, Joes, and Cope, Colorado, and  
at all intervening points on U. S. Highway  
No. 36 between the Colorado-Kansas State Line  
on the east and the town of Cope, Colorado,  
on the west.
- B. Along U. S. Highway No. 24 from the Colorado-  
Kansas State line on the east to the town of  
Genoa, Colorado, on the west with pick ups at  
Peconic, Burlington, Bethune, Stratton, Vona,  
Seibert, Flagler, Arriba, Bovina, and Genoa,  
Colorado, and at all intervening points on  
U. S. Highway No. 24 between the Colorado-Kansas  
State line on the east and the town of Genoa,  
Colorado, on the west.

C. Along U. S. Highway No. 40 from the Colorado-Kansas State line on the east to the town of Hugo, Colorado, on the west with pick ups at Arapahoe, Cheyenne Wells, Firstview, Kit Carson, Wildhorse, and Hugo, Colorado, and at all intervening points on U. S. Highway No. 40 between the Colorado-Kansas State line on the east and the town of Hugo, Colorado, on the west.

By the instant application, filed October 8, 1952, Delbert Richardson seeks to transfer all of the authority granted in Decision No. 38459 to Wilbur C. Richardson, Burlington, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, November 18, 1952, at ten o'clock A. M., and at the conclusion of the evidence, the matter was taken under advisement.

Delbert Richardson, the transferor, testified at the hearing that the only indebtedness against the operation were current obligations incurred by the operation since November 15, 1952; that the purchase price was \$20,000 to be paid upon approval of the transfer by the Commission; that the purchase price included all of the equipment which he was using in conducting the operation; that the ton-mile tax deposit was to be transferred to transferee.

Wilbur C. Richardson, Burlington, Colorado, the transferee, testified that he had had one year's experience in the proposed operation while working for his brother; that he proposed no change in the operation; that his net worth as evidence by a financial statement attached to the application was \$49,300.00.

## 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.

That the above Statement is, by reference, made a part of these Findings.

O R D E R

THE COMMISSION ORDERS:

That Delbert Richardson, Burlington, Colorado, should be, and he hereby is, authorized to transfer to Wilbur C. Richardson, Burlington, Colorado, all of his right, title and interest in and to PUC No. 2381, which authorizes the transportation, not on schedule, of:

milk, cream, and eggs from points along the route hereinafter described to markets in Colorado Springs and Denver and a return haul of empty cans and containers and rejected shipments of milk and cream, together with processed dairy products in containers, on a call and demand basis, to the area routes or points to be served as follows:

- A. Along U. S. Highway No. 36 from the Colorado-Kansas State line on the east to the town of Cope, Colorado, on the west with pick ups at Idalia, Kirk, Joes, and Cope, Colorado, and at all intervening points on U. S. Highway No. 36 between the Colorado-Kansas State line on the east and the town of Cope, Colorado, on the west.
- B. Along U. S. Highway No. 24 from the Colorado-Kansas State line on the east to the town of Genoa, Colorado, on the west with pick ups at Peconic, Burlington, Bethune, Stratton, Vona, Seibert, Flagler, Arriba, Bovina, and Genoa, Colorado, and at all intervening points on U. S. Highway No. 24 between the Colorado-Kansas State line on the east and the town of Genoa, Colorado, on the west.
- C. Along U. S. Highway No. 40 from the Colorado-Kansas State line on the east to the town of Hugo, Colorado, on the west with pick ups at Arapahoe, Cheyenne Wells, Firstview, Kit Carson, Wildhorse, and Hugo, Colorado, and at all intervening points on U. S. Highway No. 40 between the Colorado-Kansas State line on the east and the town of Hugo, Colorado, on the west.

That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said certificate has been formally assigned and that said parties have accepted and in the future will comply with the conditions and requirements of this order to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this order within thirty (30) days from the effective date of the order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission.

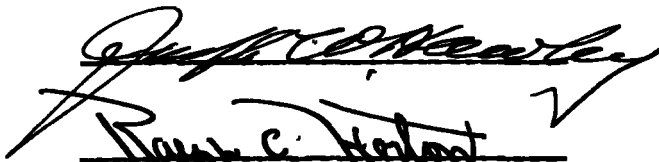
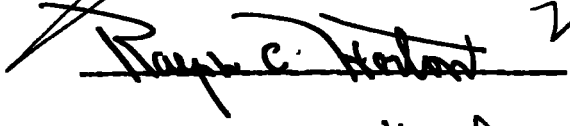
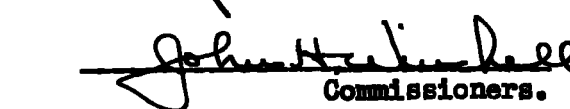
The tariff of rates, rules and regulations of transferor shall become and remain those of transferee until changed according to law and the rules and regulations of this Commission.

The right of transferee to operate under this order shall depend upon the prior filing by transferor of delinquent reports, if any, covering his operations under said certificate up to the time of the transfer of said certificate, and the payment by him or transferee of all unpaid ton-mile tax.

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

That this order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 21st day of November, 1952.

ea



original

(Decision No. 39718)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
GRAND VALLEY GAS COMPANY (GRAND )	
VALLEY PIPELINE COMPANY), 307 FIRST )	APPLICATION NO. 10394
NATIONAL BANK BUILDING, DENVER, )	SUPPLEMENTAL ORDER
COLORADO, FOR A CERTIFICATE OF )	
PUBLIC CONVENIENCE AND NECESSITY. )	
----- )	

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November 24, 1952  
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Appearances: Tippit, Haskell and Welborn, Esqs.,  
Denver, Colorado, for applicant;  
Lee, Bryans, Kelly & Stansfield, Esqs.,  
Denver, Colorado, for Public Ser-  
vice Company of Colorado;  
William Atha Mason, Esq., Rifle,  
Colorado, for the Town of Rifle;  
O. F. Bridwell, Denver, Colorado,  
and  
Hon. Samuel Taylor, Walsenburg,  
Colorado, for The Colorado and  
New Mexico Coal Operators Ass'n.;  
Paul M. Hupp, Esq., Denver, Colo-  
rado, for the Commission.

S T A T E M E N T

By the Commission:

On January 26, 1951, by Decision No. 36056, the Commission granted to the Grand Valley Pipeline Company a certificate of public convenience and necessity authorizing the construction of a natural gas pipe line from the Piceance Creek Gas Field in Rio Blanco County to Rifle, Colorado, and thence easterly to New Castle, Colorado, to a paper pulp mill site near New Castle on the one hand, and from Rifle, Colorado, southwesterly to Grand Valley, Colorado, and continuing on to DeBeque, Mesa County, Colorado, thence on to Palisade, Mesa County, Colorado, thence to Grand Junction, Mesa County, Colorado.

This pipe line was never constructed, and on June 25, 1952, an application was filed with the Commission seeking to transfer a portion of the certificate granted by Decision No. 36056 to the Grand Valley Gas Company to render service from the Piceance Creek Gas Field to Rifle,

Colorado, and thence to New Castle, Colorado, but eliminating that portion of the certificate authorizing service southwesterly from Rifle to Grand Junction.

At the hearing in regard to this transfer, a resolution of the Board of Directors of the Grand Valley Pipeline Company was introduced as Exhibit "A", said resolution stating, in effect, that the Grand Valley Pipeline Company authorized the transfer, subject to the approval of the Public Utilities Commission of the State of Colorado, to Grand Valley Gas Company, a co-partnership, of that portion of the certificate of public convenience and necessity granted Grand Valley Pipeline Company on January 26, 1951, extending from Piceance Creek Gas Field to Rifle thence to New Castle.

Prior to the issuance of the Commission's order in regard to the transfer of the portion of the certificate from Grand Valley Pipeline Company to Grand Valley Gas Company, a request was made to the Commission asking that the approval of said assignment as filed with the Commission be withdrawn. The Commission, on November 5, 1952, by Decision No. 39616, granted the request and as a result there is no further action pending before the Commission regarding said transfer.

The certificate of public convenience and necessity issued by the Commission on January 26, 1951, in Decision No. 36056, is still outstanding in the name of Grand Valley Pipeline Company. The Commission is now in receipt of a certified copy of a Notice of Dissolution of the Grand Valley Pipeline Company as filed in the Secretary of State's office on July 24, 1952. In view of the fact that this corporation has been dissolved, we believe that the outstanding certificate issued by the Commission on January 26, 1951, should be cancelled. Since the resolution by the Board of Directors of the Grand Valley Pipeline Company authorizing the transfer of a portion of its certificate was never consummated before this Commission but was withdrawn, as previously stated, the cancellation of the certificate as originally issued to the Grand Valley Pipeline Company will revoke the outstanding certificate in toto.

## FINDINGS

### THE COMMISSION FINDS:

That the certificate of public convenience and necessity issued on January 26, 1951, by Decision No. 36056, to the Grand Valley Pipeline Company, should be cancelled on the Commission's own motion because of the dissolution of said corporation and the failure to construct the pipe line.


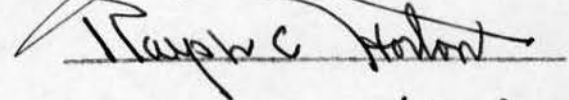
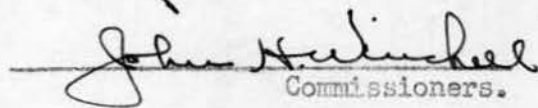
## ORDER

### THE COMMISSION ORDERS:

That the certificate of public convenience and necessity issued to the Grand Valley Pipeline Company, in Application No. 10394, by Decision No. 36056, dated January 26, 1951, be, and it hereby is cancelled and revoked.

That this order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 24th day of November, 1952.

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original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE PETITION OF	}	INVESTIGATION AND SUSPENSION DOCKET NO. 333
THE DENVER AND RIO GRANDE WESTERN		
RAILROAD COMPANY TO REMOVE A SIDE		
TRACK AT STATE BRIDGE, COLORADO.		
-----	)	

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November 24, 1952  
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Appearances: T. A. White, Esq., Denver,  
Colorado, for applicant;  
James K. Groves, Esq., Grand  
Junction, Colorado, for J.  
Perry Olsen et al, protestants;  
J. M. McNulty, Denver, Colorado,  
for the Commission.

S T A T E M E N T

By the Commission:

On November 9, 1951, The Denver and Rio Grande Western Railroad Company, by its attorneys, filed a petition under Rule 6 of the Commission's Rules and Regulations Pertaining to Railroads Operating in the State of Colorado, seeking authority to remove a certain standard gauge side track 951 feet in length, extending parallel with and 15 feet southeast from the main track of The Denver and Rio Grande Western Railroad Company at State Bridge, Eagle County, Colorado, between Mile Post 126.32 and Mile Post 126.50.

Upon receipt of a written complaint by one of the shippers using the facilities at State Bridge, the Commission transferred the petition to its Investigation and Suspension Docket No. 333 and suspended the matter until April 9, 1952, unless otherwise ordered. The matter was further suspended by Commission orders to December 5, 1952, and during said periods of suspension an investigation was made into the matter. This docket was set for hearing before the Commission at Glenwood Springs on two separate occasions, but the hearing was vacated in each instance at the request of applicant. The matter was finally set for hearing, and heard by the Commission on November 13, 1952, at Glenwood Springs, Colorado, and taken under advisement.

Testimony at the hearing revealed that the siding at State Bridge has been used over a period of year, mostly for the shipping and receiving of sheep and cattle. In addition to the siding, there are cattle pens suitable for loading and unloading cattle and sheep. This siding is located 2.91 miles on the railroad easterly from Bond and 2.39 miles easterly from Orestod, a division point on the Rio Grande Railroad. State Bridge is 3.24 railroad miles from Yarmony, the next railroad siding easterly from State Bridge. The eastern-most switch of the State Bridge siding is located at Mile Post 126.32. This side track takes off of a seven degree curve on the main line. Since the side track is on the inside of this curve, the curvature of the siding coming out of the east switch is additive, thereby increasing the total degree of curvature that the engine and cars must make to enter the siding from the east switch. The western-most switch of this siding takes off from a curve that is in a reverse direction from that at the east switch and, therefore, the side track at this point tends to offset the curvature on the main line, thereby reducing the total degree of curvature necessary to enter the siding from the west switch.

The witness for the railroad explained in detail the hazards of switching movements using the eastern-most switch, due not only to the amount of curvature, but also to the fact that there is a grade on the main line of .28% downward to the west as well as super elevation of the outer rail that compensates for the curve on the main line track. The witness enumerated two occasions when there had been derailments at the east switch in the performance of routine switching movements when entering or leaving this switch for pickup and deliveries of cars. In one instance stated, in 1951, there was a derailment that occurred at 4:40 P. M. on the afternoon of September 24, wherein eight pairs of wheels on the locomotive were derailed. This derailment cost the railroad company \$981.83. As a result of this derailment, there were time delays to nine trains scheduled on the main line and these time delays varied from a minimum of one hour thirty-six minutes on the Mountaineer to twelve hours in the case of an extra freight train that had to await proper clearance orders.

A second instance enumerated by the witness was of another derailment on October 7, 1952, where the locomotive was again derailed when it endeavored to enter the east switch to set out one car. This derailment cost the railroad company \$321.61, and again there were three train delays varying from a minimum of ten minutes to a maximum of four hours thirty minutes. In addition to the above enumerated derailments, the witness further stated that there had been other derailments in times past involving one wheel only, and, while not as costly, they showed the hazards involved in the use of this switch.

The particular section of track upon which the State Bridge siding is located has Centralized Traffic Control and the switches at both ends of the siding are equipped with electric switch locks. These electric switch locks can be controlled by the dispatcher at Sulphur or they can be released when a train is in a certain section of track according to the traffic control.

It is the railroad company's contention that the principal objection to maintenance of the siding at State Bridge is the factor of safety in its train operations rather than the income or expense of the siding itself, although, as previously stated, the railroad company has been put to additional expense at this siding when there has been a derailment. The railroad company believes that to have safe operation, it should remove the siding and both switches and the cattle pens at State Bridge.

The railroad company contends that if they are permitted to remove this siding they can furnish service to the cattlemen of this area by utilizing the railroad facilities located at Bond. There is a siding at Bond that has cattle pens suitable for loading stock into railroad cars although these pens are not as large as the ones located at State Bridge, nor do they have a separation chute for the convenience of shippers such as the one at State Bridge. If the shipments are made to and from Bond, it would be necessary for the cattlemen and sheepmen to trail their livestock an additional 2.9 miles via road from State Bridge to Bond. In this trailing operation, it would be necessary to cross the main line of the Rio Grande at State Bridge and the Craig Branch of the railroad at Bond.



The railroad company further contended that it might be possible for some of the shippers to utilize the railroad facilities at Wolcott, a shipping point on the Pueblo-Grand Junction route of the Rio Grande that joins the Denver-Grand Junction Branch at Dotsero. The distance by railroad between Wolcott via Dotsero to Bond is about 50 miles. If the facilities at Wolcott were utilized, it would still be possible to send livestock to Denver by having them routed through Dotsero and Bond rather than sending them the longer south route via Pueblo to Denver.

Mr. J. Perry Olsen of Grand Junction, one of the principal shippers into and out of State Bridge, testified at the hearing regarding the necessity for this siding in his business. Mr. Olsen owns a ranch just south of State Bridge comprising approximately 15,000 acres and, in addition, he has grazing permits on national forest grazing land for 4,000 head of sheep. He has been acquiring this land over a period of years with the knowledge he would be able to use the facilities at State Bridge. His investment at the present time amounts to \$200,000. During a normal year he ships approximately 2,000 head of sheep into State Bridge and from 4,500 to 5,000 out of State Bridge. His cattle shipments amount to approximately 120 head a year outbound from State Bridge. He uses the facilities at Wolcott and receives sheep there in the spring and he also uses the railroad facilities at Minturn, a station east of Wolcott for shipping sheep out in the fall.

Mr. Olsen stated that his sheep operation consisted of shipping his sheep from Mack, Colorado, in the spring into Wolcott and State Bridge. The ewes that are received at Wolcott in the spring move to the north slope of the Eagle River drainage area to a lambing area that will adequately handle approximately 3,000 ewes. The ewes received at State Bridge cross the river to a lambing area just south of the river that will adequately handle 2,000 ewes. Since this movement is made in the early Spring, it was his opinion that it would not be feasible to bring all the ewes into Wolcott since the lambing area in the Eagle River

vicinity is not large enough to handle this many sheep. It would not be possible to drive the ewes northward fourteen miles from Wolcott to the State Bridge lambing area because of the distance and time element involved. This drive would not be practical from another standpoint because there is high ground between the Wolcott and State Bridge lambing areas that would present additional hazards for lambing, due to the elevation and the weather hazards in the Spring of the year. In his opinion, it would not be possible to use the facilities at Bond to bring in the ewes in the Spring, since the topography of the country between Bond and State Bridge would not be conducive to lambing operations even if this land were owned by him. The roughness of the terrain and the nearness of the railroad would undoubtedly cause him to suffer severe loss during the lambing period. In addition, when the sheep are shipped from Mack they usually arrive at State Bridge in the late afternoon or early evening and they can be unloaded the same day and trailed across the river to the lambing grounds. If the sheep are received at Bond, he did not think there would be enough time to unload the sheep and trail them the three miles or more from Bond to the lambing ground prior to darkness. If the sheep had to bed down at night between Bond and the lambing ground, it would only mean additional hazard to the ewes since they are tired and hungry after the day's ride from Utah and should reach their lambing area as soon as possible after arrival.

Mr. Olsen also believed that it would be impractical, if not impossible, to use trucks to ship from Wolcott to State Bridge, or from State Bridge to Wolcott. The road conditions between Wolcott and State Bridge are not good, particularly in wet weather. He has never used trucks in his sheep operation in this area and would be very reluctant to do so as he believes that it is not as safe or economical a manner for shipping sheep as is the railroad.

There were other shipper-witnesses who testified at the hearing, mostly in regard to their past usage of the facilities at State Bridge, and their willingness to use them in the future. They all felt that it would be a great inconvenience if this siding were removed, and they felt



that it would be impractical to use the facilities at Bond. All of the testimony presented at the hearing in regard to the substitute facilities at Bond stated the difficulties encountered in trailing livestock to and from the pens at Bond because of the nature of the country and the nearness of the railroad where each passing train "spooked" the livestock, causing them to scatter, thereby rendering trailing more difficult, and the fact that the inbound shipments of ewes are during the early part of the lambing season when losses are heavy if the ewes are not properly cared for and lambing grounds are not easily available.

As a result of the testimony at the hearing, we feel that public convenience and necessity require the continued use of the livestock pens and the side track at State Bridge. The question of safety in railroad operation must be given consideration, since we have ample evidence that the movement of cars in and out of the siding by way of the east switch is a hazardous operation. The evidence shows no safety hazard in the use of the west switch.

In order to balance the interests involved, i. e., the shippers with their need of this siding and the railroad in its safety of operations, we believe this matter can best be handled by permitting the railroad to remove the east switch permanently, but requiring it to retain the livestock pens, and the continued use of the side track and west switch. This, in effect, will leave State Bridge as a spur track with access to the shipping pens by means of the west switch located at Mile Post 126.50, at which there is no undue hazard under normal operations. The hazard and maintenance of the east switch will be eliminated thereby improving the safety operations and preventing the economic and time losses that have occurred in the past due to derailments at this location. The livestock shippers will still be able to use these facilities, thereby protecting their interests in the future. While the number of shipments into and out of State Bridge is of a seasonal nature, it is nevertheless important, we believe, not only to the livestock men, but as a source of business to the railroad. The

limited number of actual shipping days cuts down the number of movements that have to be handled through the west switch.

### FINDINGS

#### THE COMMISSION FINDS:

That in the interest of safe operation of The Denver and Rio Grande Western Railroad Company, the switch at Mile Post 126.32 at State Bridge should be removed.

That in the interest of public convenience and necessity, the switch at Mile Post 126.50, together with the side track and livestock pens, should be retained in service.

### ORDER

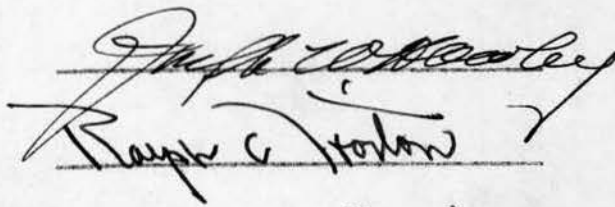
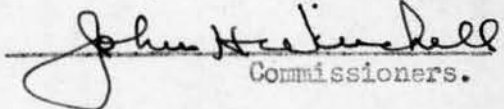
#### THE COMMISSION ORDERS:

That The Denver and Rio Grande Western Railroad Company be, and it hereby is, authorized to remove the switch at Mile Post 126.32 at State Bridge, and to either shift the remaining side track at said switch 15 feet southeast from the main line track to maintain the prevailing track separation, or end the side track at the presently existing clearance point at said switch.

That the switch at Mile Post 126.50 at State Bridge, together with the side track be retained and operated as a spur track, and the livestock pens retained in service.

That this order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
\_\_\_\_\_  
Ralph C. Trotter  
  
\_\_\_\_\_  
John H. Kunkin  
Commissioners.

Dated at Denver, Colorado,  
this 24th day of November, 1952.  
ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
STEVE WILSON EDWARDS, SR., AND STEVE )  
WILSON EDWARDS, JR., KIM, COLORADO, )  
FOR A CLASS "B" PERMIT TO OPERATE AS )  
A PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
----- )

APPLICATION NO. 11206-PP

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November 24, 1952  
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Appearances: O. F. Adams, Esq.,  
Trinidad, Colorado,  
for applicants;  
Frank H. Hall, Esq.,  
Trinidad, Colorado,  
for Vincent Alishio;  
R. S. Thompson, Kim, Colo-  
rado, pro se.

S T A T E M E N T

By the Commission:

On April 16, 1951, Steve Wilson Edwards, Sr., and Steve Wilson Edwards, Jr., of Kim, Colorado, filed their application for a Class "B" permit to operate as a private carrier by motor vehicle for hire for the transportation of livestock, farm produce, building materials and farm machinery, from points within a radius of 25 miles of Kim, Colorado, to Trinidad, Pueblo, Florence, Rocky Ford, La Junta, Las Animas, Holly, Pritchett, Springfield, Vilas and Walsh, Colorado; and from points within a radius of 25 miles of Kim, Colorado, to the Colorado, Kansas, Oklahoma and New Mexico state lines, in intrastate and interstate commerce.

This matter was previously set for hearing at Trinidad, Colorado, but was continued, to be reset at some future date convenient to the Commission. Later, the matter was set for hearing at the Court House in Pueblo, Colorado, on October 22, 1952, where it was heard and taken under advisement.

At the hearing, Steve Wilson Edwards, Jr., one of the partners, testifying for applicants herein, stated that the partnership was worth approximately \$50,000.00 and it was their desire to handle livestock, farm produce, building materials and farm machinery in the Kim, Colorado area, to other points in the State of Colorado, more particularly set out in the application. It also appears that applicants are engaged in farming operations and also assist in harvesting wheat in the Kim area where they haul farm produce during the harvest season.

Steve Wilson Edwards, Sr., testified substantially the same as his son.

Applicants had several witnesses present at the hearing who testified that if the permit is granted, they would use applicants' service, especially during the harvest season, and might, on occasion, use them in the hauling of livestock. However, on cross-examination by protestants, witnesses indicated that the present service in the area for the transportation of livestock and other commodities asked for in the instant application, is adequate to take care of their needs except during the harvest season when they have experienced a few days delay.

Protestants Alishio and Thompson testified as to the adequacy of the service for that territory, and that during the major portion of the year there was not enough business to keep their operations going. One witness stated that several private carrier permits had been issued in the territory and had been, as he put it, "starved out." These carriers have taken away business from the certificated common carriers and have made it very difficult for them to keep on hand ample equipment to take care of the rush business during the harvest season.

The evidence would indicate that the granting of any permit as general as the one asked for in the instant application would impair the service of common carriers in the territory. The Commission desires to give to the various communities in the state an adequate transportation

service, and it appears from the evidence that there are sufficient certificated carriers in the area asked for in the application to take care of the transportation needs of that area. After weighing all of the evidence, it does not appear to the Commission that the granting of the instant application would be in the public interest.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the instant application should be denied for the reasons heretofore set forth in our Statement which, by reference, is made a part of these Findings.

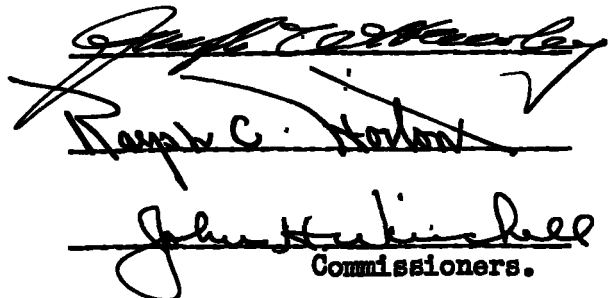
### O R D E R

#### THE COMMISSION ORDERS:

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

This Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 24th day of November, 1952.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
CARBON MOTORWAY, INC., GRAND JUNC- )  
TION, COLORADO, FOR A CERTIFICATE ) APPLICATION NO. 12031  
OF PUBLIC CONVENIENCE AND NECESSITY. )  
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November 24, 1952  
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Appearances: T. A. White, Esq., Denver,  
Colorado, and  
Nick Galanis, Salt Lake City,  
Utah, for applicant.

S T A T E M E N T

By the Commission:

On August 15, 1952, Carbon Motorway, Inc., the applicant herein, filed its application for a certificate of public convenience and necessity to transport general commodities between Grand Junction, Colorado, and the Colorado-Utah state line, via U. S. Highway No. 50, serving all intermediate points.

The application was regularly set for hearing, and heard, at the Court House in Grand Junction, Colorado, on October 15, 1952, with notice to all interested parties, and was there taken under advisement.

At the hearing, the evidence disclosed that applicant is a corporation organized under the laws of the State of Utah, and authorized to do business in the State of Colorado.

It appears that applicant now operates an interstate transportation system in the carriage of general commodities by motor vehicle between Salt Lake City, Utah and Grand Junction, Colorado, pursuant to certificate of public convenience and necessity issued by the Interstate Commerce Commission in Docket MC-113639, which route follows U. S. Highway No. 50 between Grand Junction and the Colorado-Utah state line.

The evidence discloses that applicant proposes to operate a 1½

ton truck in providing service over said route and to operate said service three days per week; that is, on Tuesdays, Thursdays and Saturdays. The evidence indicates that applicant's service may be to some extent competitive with the rail operations of the Denver and Rio Grande Western Railroad Company, however, at the present time, Rio Grande Motor Way, Inc., is providing freight service to and from the points herein sought to be served by applicant under temporary authority of this Commission, but it is the plan of Rio Grande Motor Way to discontinue service under said temporary authority upon the granting of this application for a certificate.

A financial statement of the applicant company was introduced in evidence, which was marked "Exhibit C" clearly indicating that applicant is well qualified financially to carry on the proposed operation.

Originally, this service was performed by the Uintah State Line which was owned by Mr. Hayden of Grand Junction. This company became financially involved, making it necessary for the company to discontinue service. At the request of the Commission, Rio Grande Motor Way, serving in the Grand Junction area, initiated a service to take care of the residents along U. S. Highway No. 50 between the state line and Grand Junction, for the reason that at that time they were rendering through service from Salt Lake City to Grand Junction. In the interim, this interstate authority was transferred to the Carbon Motorway, Inc., applicant herein.

It appears to the Commission that applicant is the proper company to give this service, and there is no question that the residents residing along U. S. Highway No. 50 are entitled to a scheduled service. This company, by virtue of its connections at Grand Junction on the one hand and its connections at Salt Lake City on the other hand, can give to the people of this area a more complete service than any new carrier entering the field.

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

##### THE COMMISSION FINDS:

That public convenience and necessity require the issuance to

applicant of a certificate of public convenience and necessity authorizing the transportation of commodities generally between Grand Junction, Colorado and the Colorado-Utah state line over U. S. Highway No. 50, serving all intermediate points and all off-route points within ten miles of said U. S. Highway No. 50.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the proposed motor vehicle common carrier scheduled service of applicant for the transportation of commodities generally between Grand Junction, Colorado, and the Colorado-Utah state line over U. S. Highway No. 50, serving all intermediate points in all off-route points within ten miles of said U. S. Highway No. 50, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

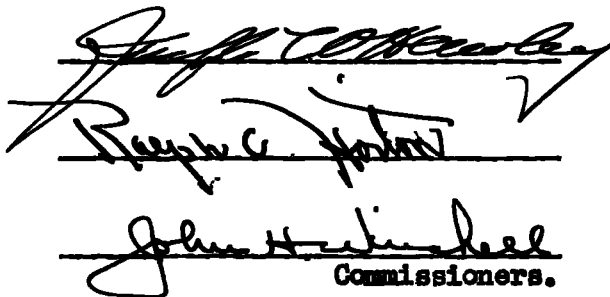
That applicant shall file tariffs of rates, rules and regulations and time and distance schedules as required by the rules and regulations of this Commission within twenty days from date.

That applicant shall operate his carrier system according to the schedule filed 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-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 24th day of November, 1952.

mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JOHN E. ADAIR, OLNEY SPRINGS, COLO- )  
RADO, FOR A CLASS "B" PERMIT TO )  
OPERATE AS A PRIVATE CARRIER BY )  
MOTOR VEHICLE FOR HIRE. )

APPLICATION NO. 12036-PP

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November 24, 1952  
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Appearances: John E. Adair, Olney Springs,  
Colorado, pro se;  
Edwin L. Tyler, Fowler, Colo-  
rado, for Fowler Truck Line;  
John E. Avara, Ordway, Colo-  
rado, pro se.

S T A T E M E N T

By the Commission:

On August 18, 1952, John E. Adair, 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 baled and loose hay and small grains from farms within a 25-mile radius of Olney Springs to hay mills in said radius, and to dairies and hay dealers and feed stores in Pueblo, Colorado Springs, and points within a 150-mile radius of Olney Springs, Colorado.

The above matter was regularly set for hearing, and heard, at the Court House in Pueblo, Colorado, on October 22, 1952, and at the conclusion of the hearing, the matter was taken under advisement.

Applicant, testifying in his own behalf, stated that he is the owner of a 1948 2-ton Chevrolet truck, and is presently operating under temporary authority from this Commission for the transportation of hay and small grains within the area asked for in the application.

The evidence further disclosed that applicant has a net worth of approximately \$2,500.00, and is qualified by experience to operate under a private carrier permit.

Applicant had no customer-witnesses to testify that his service

is needed.

Protestants Tyler and Avara, holders of common carrier certificates within the area asked for by applicant, vigorously protested the granting of the instant application, stating that they were in a position to handle the transportation of baled hay and small grain in the area applicant seeks to serve.

In considering the above application, the Commission, due to the fact that no customer-witnesses appeared on behalf of the application, feels it is the duty of the Commission to deny the instant application. However, after hearing the evidence, the Commission is of the opinion that the common carrier service in the area is none too good, and possibly additional service is needed, and if applicant had produced customers who would testify that his service is needed by them, the decision of the Commission might be different. But under the record as it now exists, we do not believe we are justified in granting private carrier authority.

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

##### THE COMMISSION FINDS:

That the instant application should be denied for the reasons heretofore set forth in our Statement, which, by reference, is made a part of these Findings.

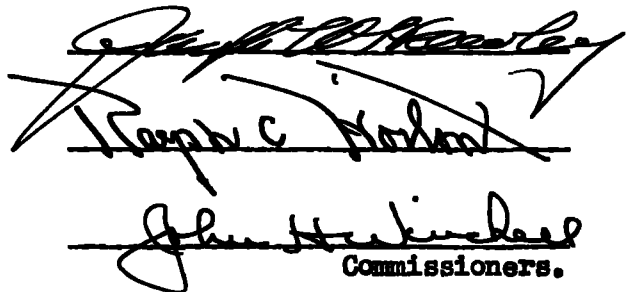
#### O R D E R

##### THE COMMISSION ORDERS:

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

That this order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 24th day of November, 1952.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
ALFRED A. DUSIO AND EUGENE C. BAKER, )  
DOING BUSINESS AS "MONTROSE AIR )  
SERVICE," MONTROSE, COLORADO, FOR )  
AUTHORITY TO TRANSFER CERTIFICATE OF )  
PUBLIC CONVENIENCE AND NECESSITY )  
GRANTED BY DECISION NO. 29582 )  
ACQUIRED BY THEM PURSUANT TO AUTHOR- )  
ITY CONTAINED IN DECISION NO. 34643 )  
TO DAVID L. DOMB AND ALLAN PALMER, )  
DOING BUSINESS AS "MONTROSE AVIATION )  
COMPANY," BOX 51, MONTROSE, COLORADO.)  
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APPLICATION NO. 12033-Transfer

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November 24, 1952  
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Appearances: David L. Domb, Montrose, Colo-  
rado, for Transferees.

S T A T E M E N T

By the Commission:

By Decision No. 29582, of date December 18, 1947, Ralph C. Buchanan, doing business as "Buchanan Flying Service," Montrose, Colorado, was granted a certificate of public convenience and necessity to conduct a non-scheduled airplane operation, in intrastate and interstate commerce, for the transportation of:

passengers and property between all points in the State of Colorado, without the right, except with consent of the Commission first had and obtained, to establish an office or branch for the purpose of developing business at any town, place or city other than Montrose, Colorado.

By Decision No. 34643, of date April 21, 1950, the above certificate was transferred to Alfred A. Dusio and Eugene C. Baker, co-partners, doing business as "Delta Air Service," Delta, Colorado.

By Decision No. 36857, of date June 11, 1951, the Montrose operation of "Delta Air Service," was authorized to operate under the name of "Montrose Air Service."

The present application is for a transfer of the authority

granted in the above-named certificate to David L. Domb and Allan Palmer, doing business as "Montrose Aviation Company," Box 51, Montrose, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was set for hearing, and heard, at the Court House in Montrose, Colorado, on October 16, 1952, at ten o'clock A. M., and there taken under advisement.

From the files of the Commission and the evidence introduced at the hearing, it does not appear that there is any reason why said transfer should not be authorized, transferees being qualified pecuniarily and otherwise to conduct said operation.

#### 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.

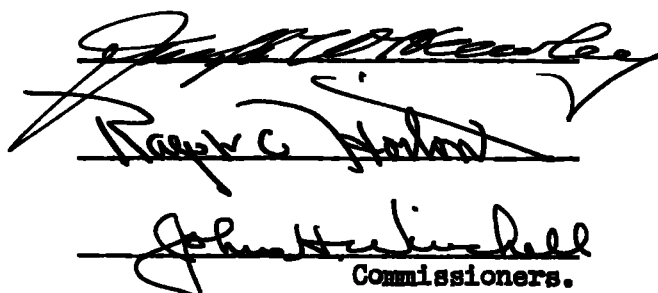
#### O R D E R

##### THE COMMISSION ORDERS:

That Alfred A. Dusio and Eugene C. Baker, doing business as "Montrose Air Service," Montrose, Colorado, should be, and hereby are, authorized to transfer all their right, title and interest in and to certificate of public convenience and necessity granted by Decision No. 29582, acquired by them pursuant to authority contained in Decision No. 34643, to David L. Domb and Allan Palmer, doing business as "Montrose Aviation Company," Box 51, Montrose, Colorado, subject to payment of outstanding indebtedness against said operation if any there be, whether secured or unsecured.

This order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 24th day of November, 1952.  
mls

Original

(Decision No. 39724)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE PETITION F DENVER TRANSFER & )  
CARTAGE COMPANY, HILL'S GRAND COUNTY )  
TRANSPORTATION COMPANY AND MIDDLE )  
PARK EXPRESS TO INCREASE CLASS RATES )  
BY FORTY (40) PER CENT. )  
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CASE NO. 1585

-----  
November 21, 1952  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of an application No. 247 from The Motor Truck Common Carriers' Association, as agent, for and on behalf of C. A. Baumgartner and E. M. Stage, doing business as Denver Transfer & Cartage Company, for authority to increase by 40% the class rates covering its common carrier operation. Also, a petition from Clayton Hill, doing business as Hill's Grand County Transportation Company and Richard J. Wadley, doing business as Middle Park Express, to increase by 40% the class rates covering their common carrier operations.

F I N D I N G S

THE COMMISSION FINDS:

That, Case No. 1585 should be reopened for further hearing relative to the matters set forth in the statement.

O R D E R

THE COMMISSION ORDERS:

That, Case No. 1585, be and the same is hereby reopened for further hearing before the Commission, beginning at 11:00 A.M. December 1, 1952, in the hearing room of the Commission, 330 State Office Building, Denver, Colorado

for the taking of evidence relative to the matters hereinbefore set forth in  
the statement.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph C. Hawley  
Ralph C. Hobart  
John H. Kinschell  
Commissioners

Dated at Denver, Colorado

this 21st day of November, 1952.

hs

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
M. C. ERTLE, 546 GALAPAGO STREET, )  
DENVER, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE CAR- )  
RIER BY MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 12088-PP

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November 25, 1952  
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Appearances: M. C. Ertle, Denver, Colorado,  
pro se;  
A. J. Fregeau, Denver, Colorado,  
for Weicker Transfer & Storage  
Company;  
Raymond B. Danks, Esq., Denver,  
Colorado, for South Park Motor  
Lines.

S T A T E M E N T

By the Commission:

By the instant application, authority is sought to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of cinder blocks and cinder bricks from plants in Denver, Colorado, to points within a 50-mile radius of Denver, Colorado, with back-haul of surplus cinder blocks and cinder bricks from points within said 50-mile radius to Denver, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, November 19, 1952, at ten o'clock A. M., and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, applicant testified that he is now hauling cinder blocks and cinder bricks from the Cinder Concrete Company plant for W. J. Oberg, a contractor, who is presently construction 200 units of a Federal housing project; that he owns a 1948 Dodge 2-ton flat bed truck; that he has had 15 years trucking experience; that his net worth is appro-

ximately \$6,000.00; that he has never hauled to a job farther than Littleton, Colorado; that he does not at the present time contemplate hauling to jobs any farther from Denver than Golden, Colorado.

Raymond B. Danks, Esq., on behalf of South Park Motor Lines, and A. J. Fregeau, on behalf of Weicker Transfer and Storage Company, both protested the granting of the authority if it extended to a radius as great as 50 miles from Denver, Colorado.

It did not appear that the proposed service of applicant will impair the efficiency of any common carrier service operating in the territory which applicant seeks to serve, if the radius of service is restricted to 15 miles from Denver, Colorado.

The operating experience and financial responsibility of applicant were established to the satisfaction of the Commission.

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

##### THE COMMISSION FINDS:

That the permit should issue as limited by the order following.

#### O R D E R

##### THE COMMISSION ORDERS:

That M. C. Ertle, 546 Galapago Street, Denver, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of cinder blocks and cinder bricks from plants in Denver, Colorado, to points within a radius of 15 miles of the City Limits of Denver, Colorado, with back-haul of surplus cinder blocks and cinder bricks from points within said 15 mile radius to the City 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,

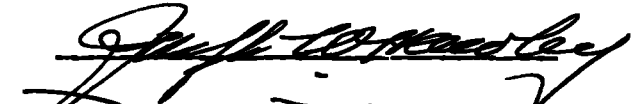

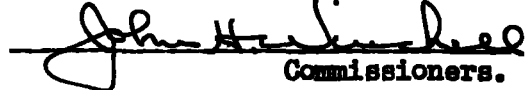


copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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

That this order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 25th day of November, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JAMES P. WAGNER, 735 HOLLAND, LAKE- )  
WOOD, COLORADO, FOR A CLASS "B" ) APPLICATION NO. 12091-PP  
PERMIT TO OPERATE AS A PRIVATE CAR- )  
RIER BY MOTOR VEHICLE FOR HIRE. )  
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November 25, 1952  
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Appearances: James P. Wagner, Lakewood,  
Colorado, pro se.

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, dirt and other road surfacing materials from pits and supply points in the State of Colorado to road and building construction jobs within a 50 mile radius of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties; and coal from mines in the northern Colorado coal fields to Denver; to Valmont Plant of Public Service Company, located near Boulder; to Rocky Mountain Arsenal, located northeast of Denver, and to the Great Western Sugar Company & Kumer-Empson Company Plants located within a 50 mile radius of Denver, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, November 19, 1952, at ten o'clock A. M., and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, applicant testified that he is now operating under temporary authority granted by the Commission; that he is the owner of a 2-ton 1947 Chevrolet dump truck with a short wheel base; that he has had 4 years experience in trucking operations; that his net worth is approx-

ximately \$10,000.00.

No one appeared in opposition to the granting of the authority sought.

It did not appear that the proposed service of applicant will impair the efficiency of any common carrier service operating in the territory which applicant seeks to serve.

The operating experience and financial responsibility of applicant were established to the satisfaction of the Commission.

### F I N D I N G S

#### THE COMMISSION FINDS:

That authority sought should be granted.

### O R D E R

#### THE COMMISSION ORDERS:

That James P. Wagner, 735 Holland, Lakewood, Colorado, should 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, dirt and other road surfacing materials from pits and supply points in the State of Colorado to road and building construction jobs within a 50-mile radius of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties; and coal from mines in the northern Colorado coal fields to Denver; to Valmont Plant of Public Service Company, located near Boulder; to Rocky Mountain Arsenal, located northeast of Denver, and to the Great Western Sugar Company & Kumer-Empson Company Plants located within a 50-mile radius of Denver, Colorado.

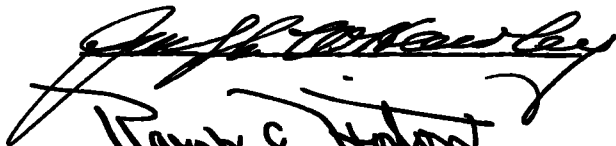
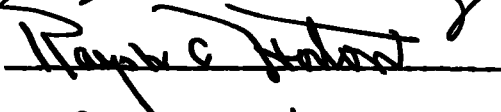
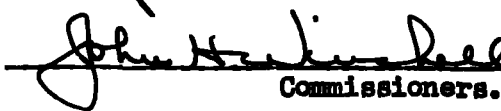
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 this compliance with all present and future laws and rules and regulations of the Commission.

That this order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_  
Commissioners.

Dated at Denver, Colorado,  
this 25th day of November, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JOHN W. KAMP, 2223 SOUTH DOWNING )  
STREET, DENVER, COLORADO, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )

APPLICATION NO. 12089-PP

-----  
November 25, 1952  
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Appearances: John W. Kamp, Denver, Colo-  
rado, pro se;  
Raymond B. Danks, Esq., Denver,  
Colorado, for South Park Motor  
Lines;  
A. J. Fregeau, Denver, Colorado,  
for Weicker Transfer & Storage  
Company.

S T A T E M E N T

By the Commission:

By the instant application, authority is sought to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of freight for Blue Ribbon Furniture Stores, only, between points within a radius of 75 miles of Denver, Colorado.

After due notice to all parties in interest, said application was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, November 19, 1952, at ten o'clock A. M., and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, the applicant testified that he is now hauling for the three suburban and two Denver stores of the Blue Ribbon Furniture Stores by leasing his equipment to them and hauling under their "C" permit; that at their suggestion he was making application for a "B" permit in order that he might render better service for them; that he is the owner of one 1946 Ford Van, one 1952 Chevrolet 1-ton truck with a stake body, one 1950 Studebaker 1-ton truck with stake body, and one 1951 1½-ton Ford truck with a stake body; that he has had 20 years of experience in trucking opera-

tions; that his net worth is approximately \$5,000.00; that he is presently hauling for the Blue Ribbon Furniture Stores and doing their warehousing for them; that he has never delivered for them beyond a 20 mile radius from Denver; that he had no intention of competing with scheduled line haul carriers. Upon cross-examination, applicant moved to amend his application to limit the radius of his authority to 15 miles from the city limits of Denver, Colorado. There being no objection, the motion was granted.

The objections of South Park Motor Lines and Weicker Transfer and Storage Company were withdrawn.

It did not appear that the proposed service of applicant will impair the efficiency of any common carrier motor vehicle service operating in the territory which applicant seeks to serve.

The operating experience and financial responsibility of applicant were established to the satisfaction of the Commission.

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

##### THE COMMISSION FINDS:

That the authority should be granted as limited by the order following.

#### O R D E R

##### THE COMMISSION ORDERS:

That John W. Kamp, 2223 South Downing Street, Denver, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of freight for Blue Ribbon Furniture Stores, only, between points within a radius of 15 miles of the City Limits 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.

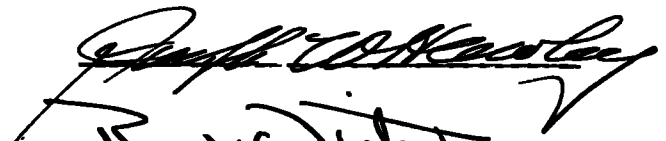
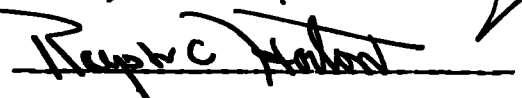

That this order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers,

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 the Commission.

That this order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 24th day of November, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
HENRY WEITZEL, 300 S. SHIELDS STREET, )  
FORT COLLINS, COLORADO, FOR A CLASS ) APPLICATION NO. 12097-PP-Reissue  
"B" PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
----- )

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November 25, 1952  
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Appearances: Henry Weitzel, Fort Collins,  
Colorado, pro se.

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, dirt, and other road-surfacing materials from pits and supply points in the State of Colorado, to road and building construction jobs located within a radius of 50 miles of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties; and the transportation of the above commodities to the Atomic Energy Plant in Jefferson County, Colorado; and for the reissuance of Permit No. B-4274 covering this authority.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Larimer County Court House, Fort Collins, Colorado, November 20, 1952, at ten o'clock A. M., and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, applicant testified that he is the owner of a 1952 Ford 2-ton dump truck; that his net worth is approximately \$7,000.00; that he is now operating under temporary authority granted by the Commission; that he has had experience in the operation of trucks since 1939; that he requests that the number B-4274, which he previously held, be given to this authority.



No one appeared in opposition to the granting of the authority sought.

It did not appear that the proposed service of applicant will impair the efficiency of any common carrier service operating in the territory which applicant seeks to serve.

The operating experience and financial responsibility of applicant were established to the satisfaction of the Commission.

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

##### THE COMMISSION FINDS:

That authority sought should be granted and that this authority should be given No. B-4274.

#### O R D E R

##### THE COMMISSION ORDERS:

That Henry Weitzel, 300 So. Shields, Fort Collins, Colorado, should 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, dirt, and other road-surfacing materials from pits and supply points in the State of Colorado, to road and building construction jobs located within a radius of 50 miles of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties; and the transportation of the above commodities to the Atomic Energy Plant in Jefferson County, Colorado; and that this authority shall be given No. B-4274.

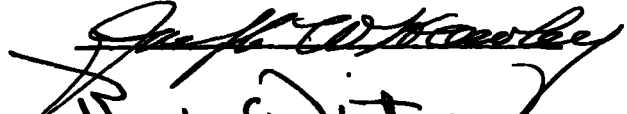
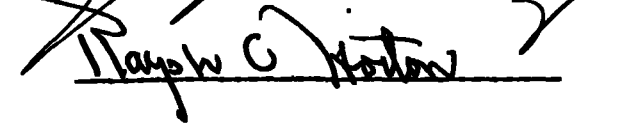

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 25th day of November, 1952.

ea

original

(Decision No. 39729)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
JESSE C. GREER, 429 W. MULBERRY, )	
FORT COLLINS, COLORADO, FOR AN )	APPLICATION NO. 12093-PP-Extension
EXTENSION OF PERMIT NO. B-4544. )	
----- )	

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November 25, 1952  
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Appearances: Ralph H. Coyte, Esq.,  
Fort Collins, Colorado,  
for applicant;  
Vene Golden, Longmont,  
Colorado, for Golden  
Transfer and Taxi;  
Floyd Henriksen, Loveland,  
Colorado, for Denver-Love-  
land Transportation Company.

S T A T E M E N T

By the Commission:

By Decision No. 39027, July 21, 1952, Jesse C. Greer, of  
Fort Collins, Colorado, was granted Private Carrier Permit No. B-4544  
for the transportation of:

timber products from Red Feather Lakes area  
in Larimer County, Colorado, to Denver, Colorado,  
and intermediate points, including Greeley, Colorado.

By the instant application, applicant seeks an extension of  
authority under Permit No. B-4544 to include the transportation of building  
materials, farm products, and farm machinery between points within a  
radius of 30 miles of Fort Collins, Colorado.

After due notice to all interested parties, said application  
was set for hearing, and heard, at the Larimer County Court House, Fort  
Collins, Colorado, November 20, 1952, at ten o'clock A. M., and at the con-  
clusion of the evidence, the matter was taken under advisement.

At the hearing, applicant testified that he is engaged in the  
coal and building block business with a coal yard at Fort Collins, Colo-  
rado; that he is the owner of a 1952 International 2-ton flat-bed truck;

that he has hauled small farm implements for the Burrows Implement Company; that he has done no hauling of farm products, but has had several requests to haul grain from the field to market; that he has had several calls to haul building blocks; that his net worth is approximately \$14,000.00. Upon cross-examination by Mr. Golden and Mr. Henrikson, applicant moved to amend his application to exclude the transportation of cement to points in Loveland, Colorado, or any point south of an east-west line drawn through Loveland, Colorado.

There being no objections, the motion to amend the application was granted.

Mr. Golden and Mr. Henrikson withdrew their protests to the application as amended.

It did not appear that the proposed service to be rendered by the applicant in the extension of his authority would impair the service of any common carrier in the area.

### FINDINGS

#### THE COMMISSION FINDS:

That the extension, as hereinafter limited, should be granted.

### ORDER

#### THE COMMISSION ORDERS:

That the authority of Jesse C. Greer, 423 W. Mulberry, Fort Collins, Colorado, under Private Carrier Permit No. B-4544, should be, and the same hereby is, extended to include the transportation of building materials, farm products, and farm machinery between points within a radius of 30 miles of Fort Collins, Colorado, excluding the right to transport cement to points in Loveland, Colorado, and points south of an east-west line drawn through Loveland, Colorado.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*[Signature]*  
*[Signature]*  
*[Signature]*  
Commissioners.

Dated at Denver, Colorado,  
this 25th day of November, 1952.  
ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
WILLIAM E. FAAST, DOING BUSINESS AS )  
"FAAST TAXI SERVICE," 22 NORTH TOWN- )  
SEND STREET, MONTROSE, COLORADO, FOR )  
AUTHORITY TO TRANSFER CERTIFICATE OF )  
PUBLIC CONVENIENCE AND NECESSITY NO. )  
PUC-1648 TO DARRELL W. BLAIR, MONTROSE, )  
COLORADO. )  
----- )

APPLICATION NO. 12049-Transfer

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November 25, 1952  
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Appearances: T. L. Brooks, Esq., Montrose,  
Colorado, for Transferor  
and Transferee.

S T A T E M E N T

By the Commission:

William E. Faast, doing business as "Faast Taxi Service,"  
Montrose, Colorado, applicant herein, is the owner of PUC-1648, which  
certificate was acquired by virtue of Decision No. 25164, issued by  
this Commission, and various decisions extending the authority granted  
by the original decision, which authorizes:

Transportation of passengers in cabs of not to  
exceed five (5) passenger capacity, between points  
in the area within a radius of twelve (12) miles of  
and including the City of Montrose, and the trans-  
portation of passengers in cabs of not to exceed  
five (5) passenger capacity, each, between the City  
of Montrose, and all points in the Counties of  
Montrose, San Miguel, San Juan, Ouray, Hinsdale,  
and Gunnison, said passenger haul originating or  
terminating with the City of Montrose; and the  
transportation of passengers from Montrose to Delta,  
only with the right to carry the same passengers  
from Delta back to Montrose in round trip service only.

Transportation of passengers on call and demand from  
points within a radius of twelve (12) miles of Montrose,  
Colorado, including the City of Montrose, to Grand  
Junction Airport and Grand Junction, only, with further  
restriction that service to and from Grand Junction and  
to Grand Junction Airport is limited to one way service  
to Grand Junction and the Grand Junction Airport from  
the Montrose Area to Grand Junction and the Grand  
Junction Airport and return with the same passengers,  
or passenger, in the same vehicle with waiting time in  
Grand Junction not to exceed one (1) hour.



Transportation of passengers and baggage as common carrier by motor vehicle between points in the area within a radius of twelve (12) miles of, and including, the City of Montrose on the one hand, and on the other, points and places in that part of the State of Colorado within a radius of sixty (60) miles of Montrose; transportation of passengers and baggage on sightseeing service on conducted all expense tours within the City of Ouray on the one hand, and on the other, points and places in that part of the State of Colorado lying west of the Continental Divide.

Applicant Faast now seeks authority to transfer said certificate to Darrell W. Blair, of Montrose, Colorado.

At the hearing in Montrose, Colorado, on October 16, 1952, it appeared that the consideration for the transfer of said certificate is the sum of \$2,500.00, to be paid in cash upon approval 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 certificate since the original date of issue; that the ton-mile tax deposit is to be transferred to the account of transferee; that the operating experience and pecuniary responsibility of transferee were established to the satisfaction of the Commission.

The matter was taken under advisement.

#### FINDINGS

##### 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 there be.

#### ORDER

##### THE COMMISSION ORDERS:

That William E. Faast, doing business as "Faast Taxi Service," 22 North Townsend Street, Montrose, Colorado, be, and he hereby is, authorized to transfer all his right, title and interest in and to Certificate of Public Convenience and Necessity No. 1648 to Darrell W. Blair, of Montrose, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said certificate has been formally assigned and that said parties have accepted and in the future will comply with the conditions and requirements of this order to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this order within thirty (30) days from the effective date of the order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission.

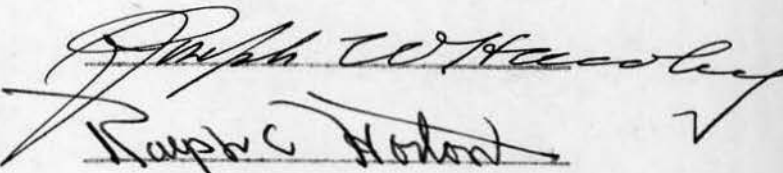
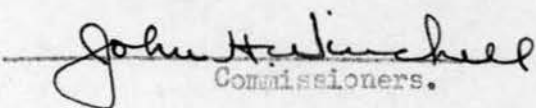
The tariff of rates, rules and regulations of transferor shall become and remain those of transferee until changed according to law and the rules and regulations of this Commission.

The right of transferee to operate under this order shall depend upon the prior filing by transferor of delinquent reports, if any, covering his operations under said certificate up to the time of the transfer of said certificate, and the payment by him or transferee of all unpaid ton-mile tax.

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

This order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Ralph C. Holt  
  
John H. Kinsch  
Commissioners.

Dated at Denver, Colorado,  
this 25th day of November, 1952.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF }  
THE DENVER & RIO GRANDE WESTERN }  
RAILROAD COMPANY TO WITHDRAW THE }  
AGENCY AT ASPEN, COLORADO. }  
-----)

INVESTIGATION AND SUSPENSION  
DOCKET NO. 342

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November 25, 1952  
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Appearances: T. A. White, Esq., Denver,  
Colorado, for applicant;  
George J. Petre, Esq., Glenwood  
Springs, Colorado, for the  
City of Aspen and the County  
of Pitkin;  
J. M. McNulty, Denver, Colorado,  
for the Commission.

S T A T E M E N T

By the Commission:

On September 2, 1952, The Denver & Rio Grande Western Railroad Company, by its attorneys, filed an application under Rule No. 6 of the Rules and Regulations Pertaining to Railroads promulgated by this Commission, proposing to withdraw its agent from the railroad station in Aspen, Colorado, effective October 6, 1952, and thereafter maintain Aspen as a non-agency station. The railroad posted the required notice as prescribed by Rule No. 6, and the intent of the railroad becoming known to interested parties, complaints were received by the Commission prior to the effective date.

In view of the above complaints, the Commission, on October 2, 1952, by Decision No. 39462, suspended the effective date of the withdrawal of the agent at Aspen for a period of one hundred and twenty (120) days from October 6, 1952, or until February 4, 1953, unless otherwise ordered.

The application of the railroad as originally filed was closed and the matter transferred to Investigation and Suspension Docket No. 342.



During the period of suspension, an investigation into the matter was ordered by the Commission. The Commission set the matter for hearing on Thursday, November 13, 1952, at ten o'clock A. M., at the Court House in Glenwood Springs, Colorado.

The matter was called for hearing on November 13, but due to the time element involved, was set over for final hearing to November 14, at 9:30 A. M., at the same location. The docket was called for hearing at the re-scheduled time, and the matter was then heard by the Commission and taken under advisement.

Aspen, Colorado, is located on the Aspen Branch of The Denver & Rio Grande Western Railroad Company 41.28 miles by rail from Glenwood Springs and about 42 miles by State Highway No. 82, a modern paved highway, from the same point.

In February of 1948, passenger train service was discontinued by order of the Commission, after hearing, between Glenwood Springs and Aspen and the freight service was authorized by the Commission to be maintained by trains twice weekly from the period of January 1 to August 15, and daily except Sunday from August 15 to December 31, inclusive. The above mentioned freight service has been for carload shipments. The less-than-carload lots have been handled by the Aspen Truck Lines, with pickup and delivery service to the shippers in Aspen, under an agreement with the railroad company. The agency at Aspen does not handle mail, express or Western Union telegraph service.

Since the abandonment of the passenger service, the Railway Express Agency has made other provisions for the express into and out of Aspen, and the Western Union business is furnished through a commercial agency in Aspen.

Mr. L. H. Hale, Superintendent of Transportation for The Denver & Rio Grande Western Railroad Company, testified at the hearing that the agent at Aspen is not necessary for the safe operation of the railroad and that service to shippers will be continued to and from Aspen if the agent is withdrawn without unduly inconveniencing said shippers. If permission

is obtained to withdraw the agent in Aspen, shippers desiring cars for loading at Aspen can call the railroad agent at Carbondale collect and arrange for the number of cars and the time they are to be sent out. This matter can also be handled by mail if desirable, to either the agent at Carbondale or the one at Glenwood Springs. In the event the shipper is not able to contact the agent at Carbondale, the railroad will accept collect calls to its agent at Glenwood Springs for the ordering and spotting of cars. Mr. Hale stated that it is the usual procedure on cattle shipments to have the shipper sign the contract for the shipment at the first agency station on the route of the shipment after it leaves a non-agency station. This would be Carbondale if the Aspen agent is withdrawn. On shipments coming into Aspen the agent at Carbondale would give notice to the consignee either by telephone or by mail. This would be handled in such a manner that the shipper would not be inconvenienced or penalized by delay for which he was not responsible.

Further testimony by Mr. Hale revealed that the railroad company would also be willing to accept collect calls at Glenwood Springs in regard to passenger service for the making of reservations on a ticket already purchased or if the caller wished to purchase a ticket and make a reservation. At the present time, the majority of the passenger business is handled through the Glenwood Springs agent and it was his belief that of the business handled locally in Aspen, the bus company now gives out as much information in regard to train schedules and reservations as the local freight agent in Aspen.

Carbondale is located 28 miles northwest of Aspen. Woody Creek, a non-agency station on the railroad, is located 3.4 railroad miles northwest from Aspen, and the agent at Aspen has been handling all the carload shipments to and from Woody Creek in the past. If the agency at Aspen is permitted to be abandoned, all of the business formerly handled at Aspen for Woody Creek would be handled at Carbondale with the same arrangements as for Aspen.

Mr. E. E. Newell, Auditor of Freight and Station Accounting for The Denver & Rio Grande Western Railroad Company, testified in regard to the income and expense of the station at Aspen. Mr. Newell introduced Exhibit No. 1 at the hearing, consisting of six pages enumerating in detail the income and expenses. An excerpt from Exhibit No. 1 is set forth below:

REVENUES AND EXPENSES, ASPEN, COLORADO STATION

Years 1950, 1951 and 8 months 1952.

<u>Year</u>	<u>Freight Forwarded</u>	<u>Freight Received</u>	<u>Total Revenue</u>	<u>Total Expenses</u>	<u>Balance of Revenue</u>
1950	\$5,761.93	\$17,261.62	\$23,023.55	\$4,189.87	\$18,833.68
1951	2,635.26	10,765.00	13,400.26	4,027.93	9,372.33
8 mos. 1952	1,759.48	12,001.38	13,760.86	2,803.12	10,957.74

In presenting testimony on the above portion of the exhibit, Mr. Newell called attention to the fact that due to the system of accounting prescribed by the Interstate Commerce Commission, all the revenue of a shipment incoming or outgoing is credited to the station that originates or receives the shipment. The above figures in regard to revenue are on that basis, so that in reality, of the total revenue shown, only one-half of it is actual revenue for Aspen. Also, the above revenue figures include the income from LCL shipments which are handled by the Aspen Truck Line and not by the agent at Aspen. It was also noted that the income figures do not include the non-agency station of Woody Creek, although this was handled by the Aspen agent in the past but was not considered by the railroad to be a part of the income and expense of the Aspen agency.

In regard to the expense in Exhibit No. 1, which consisted of wages, telephone, electric lights, stationery, supplies, fuel and a pro-rata share of tariff expense, Mr. Newell called attention to the fact that these expenses do not include payment to the railroad for carrying the freight, maintenance, or depreciation of the facilities at Aspen, nor other general overheads.

Mr. Newell further testified that if the agent is withdrawn at Aspen, that Aspen will become a prepay station unless credit is established by individual shippers with the railroad company.



There were several shipper-witnesses who testified at the hearing. One of the shipper-witnesses was Mr. R. Branscom, Manager of the United Lumber and Mercantile Company at Glenwood Springs. He stated that the company he works for has a branch office at Aspen and that they do considerable business with the railroad agent at Aspen. The bulk of their shipments to Aspen consist of coal and lumber. He felt that his company would be inconvenienced, particularly in regard to coal shipments since the coal came from Routt County and was billed straight through for delivery at Aspen. However, under cross-examination, he admitted that as far as he knew, his company did not have to wait to unload the coal or lumber until after they had paid their freight bill to the agent at Aspen. He further admitted that it would probably be possible for many of these shipments to be prepaid, although it would entail some additional book-keeping on the part of his company.

The other shipper-witnesses who testified apparently have not used the Aspen agent as extensively as did the United Lumber Company and, in fact, one of the witnesses stated he had had some of his shipments billed in the past by the agency at Carbondale.

There seemed to be a little confusion at the hearing in regard to what the railroad was endeavoring to do by this application. Apparently, there is a feeling in the minds of some of the people at Aspen that carload freight service to Aspen from Glenwood Springs is to be discontinued if this application is granted. It should be perfectly plain to those present at the hearing that it is the intent of the railroad to discontinue the service of its station agency only and not to abandon carload freight service.

In view of the testimony presented, we believe that the withdrawing of the agent at Aspen will enable the railroad to effect a savings in its operation without in any way jeopardizing the safe operation of the railroad. We do not believe that the withdrawal of this agent will unduly inconvenience any of the shippers at Aspen, since the substitute service providing for the handling of carload shipments through the agent at Carbondale will be satisfactory.

## FINDINGS

### THE COMMISSION FINDS:

That The Denver & Rio Grande Western Railroad Company should be permitted to withdraw its agent from the station at Aspen and, after the effective date of the Order herein, maintain Aspen as a non-agency station.

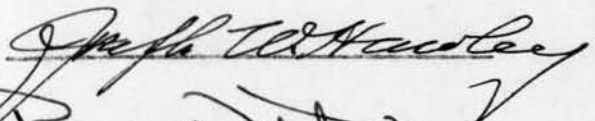
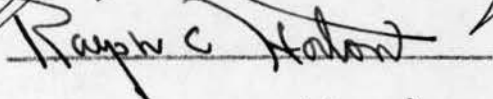

## ORDER

### THE COMMISSION ORDERS:

That The Denver & Rio Grande Western Railroad Company be, and it hereby is, authorized to withdraw its agent from the station at Aspen and to maintain said Aspen station as a non-agency station.

That this Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 25th day of November, 1952.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

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

APPLICATION NO. 12095-PP

-----  
November 25, 1952  
-----

Appearances: Ray Lambert, Bellvue, Colo-  
rado, pro se.

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 road building materials, state wide, excluding Boulder, Clear Creek and Gilpin Counties, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Larimer County Court House, Fort Collins, Colorado, November 20, 1952, at ten o'clock A. M., and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, applicant testified that he has a "C" permit from the Public Utilities Commission; that he is the owner of a 1946 International 2-ton dump truck, a 1947 Dodge 2½-ton dump truck; that his net worth is approximately \$10,000.00; that he has had experience in truck operations since 1929.

No one appeared in opposition to the granting of the authority sought.

It did not appear that the proposed service of applicant will impair the efficiency of any common carrier service operating in the territory which applicant seeks to serve.

The operating experience and financial responsibility of appli-

cant were established to the satisfaction of the Commission.

### F I N D I N G S

#### THE COMMISSION FINDS:

That authority sought should be granted.

### O R D E R

#### THE COMMISSION ORDERS:

That Ray Lambert, Bellvue, Colorado, should 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 road building materials within a radius of 50 miles of pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties, Colorado.

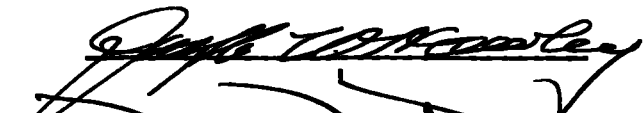
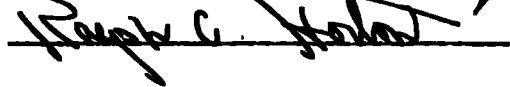
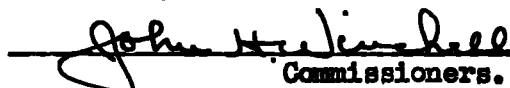
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 25th day of November, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JOHN AUSTIN, JR., BOX 96, LOVELAND, )  
COLORADO, FOR A CLASS "B" PERMIT TO )  
OPERATE AS A PRIVATE CARRIER BY )  
MOTOR VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 12094-PP

-----  
November 25, 1952  
-----

Appearances: John Austin, Jr., Loveland,  
Colorado, pro se.

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 and gravel from a pit located 2 miles west of Loveland, Colorado, to points within a radius of 50 miles of said pit.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Larimer County Court House, Fort Collins, Colorado, November 20, 1952, at ten o'clock A. M., and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, applicant testified that he is now operating under temporary authority granted by the Commission; that he is the owner of a 1952 5-ton GMC dump truck; that his net worth is \$35,000.00; that he has had 12 years experience in trucking; that he has a contract with Winston Brothers, Berthoud, Colorado, to employ his services.

No one appeared in opposition to the granting of the authority sought.

It did not appear that the proposed service of applicant will impair the efficiency of any common carrier service operating in the territory which applicant seeks to serve.



The operating experience and financial responsibility of applicant were established to the satisfaction of the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That John Austin, Jr., Loveland, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand and gravel from a pit located 2 miles west of Loveland, Colorado, to points within a radius of 50 miles of said pit.

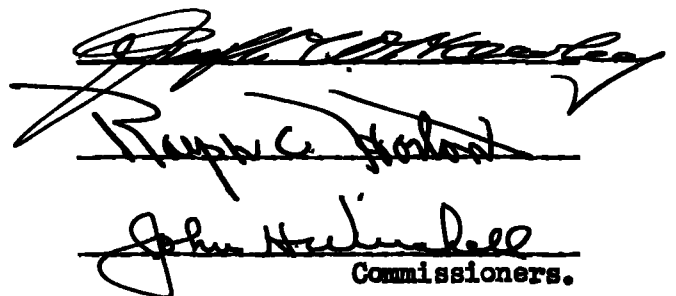
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 25th day of November, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
ALBERT H. SCHOTT, 743 WEST 10TH, )  
LOVELAND, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE CAR- )  
RIER BY MOTOR VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 12096-PP

-----  
November 25, 1952  
-----

Appearances: Albert H. Schott, Loveland,  
Colorado, pro se.

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, dirt, 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 50-miles of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Larimer County Court House, Fort Collins, Colorado, November 20, 1952, at ten o'clock A. M., and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, applicant testified that he is now operating under temporary authority granted by the Commission; that he is the owner of one 1949 Ford 3-ton truck and one 1952 Ford 2½-ton truck; that his net worth is approximately \$30,000.00; that he has had 4 years experience in trucking.

No one appeared in opposition to the granting of the authority sought.

It did not appear that the proposed service of applicant will impair the efficiency of any common carrier service operating in the terri-

tory which applicant seeks to serve.

The operating experience and financial responsibility of applicant were established to the satisfaction of the Commission.

### F I N D I N G S

#### THE COMMISSION FINDS:

That authority sought should be granted.

### O R D E R

#### THE COMMISSION ORDERS:

That Albert H. Schott, 743 West 10th, Loveland, Colorado, should 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, dirt, 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 50 miles of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties, Colorado.

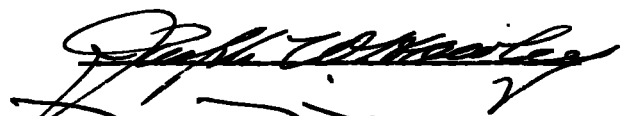
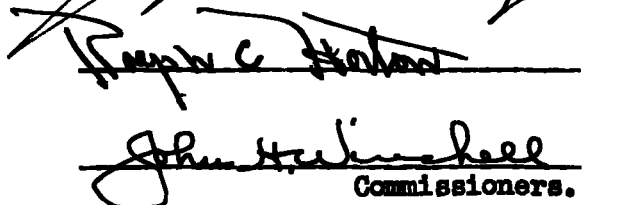
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
Commissioners.

Dated at Denver, Colorado,  
this 25th day of November, 1952.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
I. V. ROOFE, TOWAC ROUTE, CORTEZ, )  
COLORADO, FOR A CLASS "B" PERMIT TO )  
OPERATE AS A PRIVATE CARRIER BY )  
MOTOR VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 12114-PP

-----  
November 25, 1952  
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S T A T E M E N T

By the Commission:

On August 26, 1952, applicant herein filed his application for a Class "B" permit to operate as a private carrier by motor vehicle for hire.

The Commission is now in receipt of a letter from Donald C. Smith, Manager of Montezuma-Dolores Abstract Company, Cortez, Colorado, stating applicant is desirous of cancelling said application.

F I N D I N G S

THE COMMISSION FINDS:

That said application should be dismissed, at request of applicant.

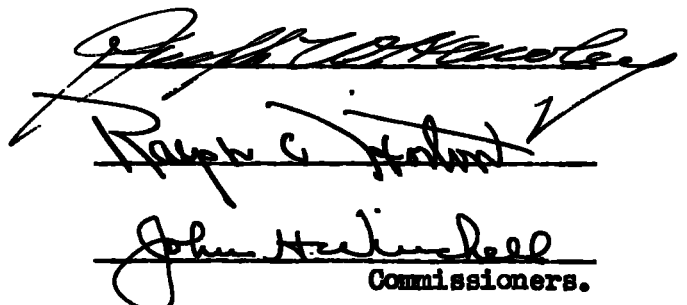
O R D E R

THE COMMISSION ORDERS:

That the above-styled application should be, and the same is hereby, dismissed, at request of applicant.

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 25th day of November, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
ALFRED A. DUSIO AND EUGENE C. BAKER, )  
DOING BUSINESS AS "DELTA AIR SERVICE," )  
DELTA, COLORADO, FOR AUTHORITY TO )  
TRANSFER CERTIFICATE OF PUBLIC CON- )  
VENIENCE AND NECESSITY GRANTED BY )  
DECISION NO. 29635 TO DAVID L. DOMB )  
AND ALLAN PALMER, DOING BUSINESS AS )  
"MONTROSE AVIATION COMPANY," BOX 51, )  
MONTROSE, COLORADO. )

APPLICATION NO. 12034-Transfer

-----  
November 25, 1952  
-----

Appearances: David L. Domb, Montrose,  
Colorado, for Transferees.

S T A T E M E N T

By the Commission:

By Decision No. 29635, of date December 22, 1947, Eugene C. Baker and Alfred A. Dusio, doing business as "Delta Air Service," were granted a certificate of public convenience and necessity authorizing the transportation of passengers and property, not on schedule, but on call and demand, between all points in the State of Colorado.

By the instant application, certificate-holders seek to transfer this authority to David L. Domb and Allan Palmer, doing business as "Montrose Aviation Company," Box 51, Montrose, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was set for hearing, and heard, at the Court House in Montrose, Colorado, on October 16, 1952, at ten o'clock A. M., and there taken under advisement.

From the files of the Commission and the evidence introduced at the hearing, it does not appear that there is any reason why said transfer should not be authorized, transferees being qualified pecuniarily and otherwise to conduct said operation.

## 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.

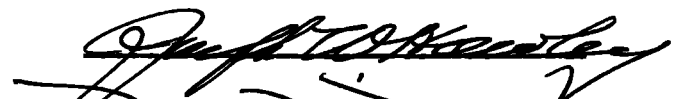
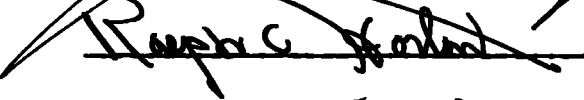
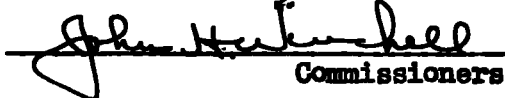
## O R D E R

### THE COMMISSION ORDERS:

That Alfred A. Dusio and Eugene C. Baker, doing business as "Delta Air Service," Delta, Colorado, should be, and hereby are, authorized to transfer certificate of public convenience and necessity granted to them by Decision No. 29635, to David L. Domb and Allan Palmer, doing business as "Montrose Aviation Company," Box 51, Montrose, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

This Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 25th day of November, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
HARVEY A. HEAD, DOING BUSINESS AS )  
"DELTA TAXI SERVICE," 251 MAIN ST., )  
DELTA, COLORADO, FOR AN EXTENSION )  
OF CERTIFICATE OF PUBLIC CONVENIENCE )  
AND NECESSITY NO. PUC-1728. )  
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APPLICATION NO. 12035-Extension

-----  
November 26, 1952  
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Appearances: Samuel Fairlamb., Esq., Delta,  
Colorado, for applicant;  
Cecil S. Haynie, Grand Junction,  
Colorado, for Amos Crosby;  
T. L. Brooks, Esq., Montrose,  
Colorado, for Faast Taxi  
Service;  
O. E. Johnson, Denver, Colorado,  
and  
G. J. Elliott, Denver, Colorado,  
for Continental Bus System.

S T A T E M E N T

By the Commission:

Harvey A. Head, doing business as "Delta Taxi Service," of Delta, Colorado, is the owner of Certificate of Public Convenience and Necessity No. 1728, which originally authorized the following service, to-wit:

"Transportation of passengers in cabs of not to exceed five passenger capacity, between points in the area within a radius of twenty-five (25) miles of, and including, the City of Delta, but excluding from said point to point area all that part thereof which lies south of the Montrose-Delta County Line, applicant, however, to have the privilege of transporting (1) passengers in round-trip service from and to points in said area to and from the City of Montrose, and the right to return the identical passengers, theretofore transported by him, from Delta to points in applicant's aforescribed area, and (2) passengers to and from points in said Delta area, from and to points in that part of Montrose County lying north of a line projected west through the Town of Olathe, Colorado, and west of U. S. Highway 50, but shall not furnish any point to point service between points in Montrose County."

By Decision No. 32796, PUC-1728 was extended to include the transportation of passengers in charter service from Hotchkiss, Colorado, to Gunnison, Colorado, over State Highway No. 135, and return via U. S. Highway No. 50 to Sapinero, Colorado, thence over State Highway No. 92 to Hotchkiss via Black Mesa.

By Decision No. 35817, PUC-1728 was extended to include the right to transport passengers between Delta, Colorado, and Montrose airport, located in Montrose, Colorado, and intermediate points, via U. S. Highway No. 50, according to scheduled service filed with the Commission.

On June 6, 1952, the applicant herein asked for an extension of his authority to render passenger service by loading within certain territories heretofore allotted to him and to deliver passengers to any other place within a 100-mile radius of the City of Delta, Colorado, and the right to return the identical passengers.

The above matter was regularly set for hearing, and heard, at the Court House in Montrose, Colorado, on October 16, 1952, with due notice to all parties in interest, and was there taken under advisement.

Harvey A. Head, testifying in his own behalf, stated that he had had numerous requests to serve points beyond his certificated area, and especially that he had requests in Delta for transporting passengers to Grand Junction, Colorado, to take the plane there for points either east or west. Also, on several occasions he had requests for service to mining areas -- both north and west of Delta.

Bob Ford, of Cedaredge, Colorado, and A. C. McDonald, of Delta, Colorado, testified that on occasions they needed this emergency service out of Delta as Mr. McDonald had mining interests at Uravan, and due to the inadequacy of bus service to that area, he had requested taxicab service.

No testimony was introduced on behalf of protestants.

After a review of the evidence by the Commission, it appears that Delta and the territory immediately surrounding Delta is entitled to an



emergency or taxicab service to points beyond the certificated area, and especially to Grand Junction for passengers desiring to make railroad or airline connections. Recently, railroad passenger facilities were abandoned to Delta, and a new need arises for passengers desiring to travel by rail, the nearest rail point being Grand Junction, and some emergency or taxicab service is needed.

It also appears that the present bus service which could be used by a majority of persons wishing to avail themselves of rail service is not convenient as schedules do not always fit, and further for the reason that the bus depot is not near the railroad station and passengers are required to use taxicab service upon their arrival in Grand Junction.

The Commission has in the past stated on many occasions that it has not considered taxicab service to be in competition with bus service for the reason that there is too much difference in price, and only in cases of emergency would people take taxicab service. It, therefore, appears to the Commission that the granting of the instant application, in part, is in the public interest.

### F I N D I N G S

#### THE COMMISSION FINDS:

That public convenience and necessity require the extension of PUC-1728 to render passenger service from points within a radius of 25 miles of, and including, the City of Delta, Colorado, but excluding from said area all that part thereof which lies south of the Montrose-Delta County Line, to points and places within a 100-mile radius of the City of Delta, with the right to give a round-trip service to identical passengers originating in the above described territory only.

### O R D E R

#### THE COMMISSION ORDERS:

That public convenience and necessity require the proposed extended motor vehicle taxicab service of Harvey A. Head, doing business as "Delta Taxi Service," of Delta, Colorado, operating under PUC-1728, to

render passenger service from points within a radius of 25 miles of, and including the City of Delta, Colorado, but excluding from said area all that part thereof which lies south of the Montrose-Delta County Line, to points and places within a 100 mile radius of the City of Delta, with the right to give a round-trip service to identical passengers originating in the above described territory only, and this order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

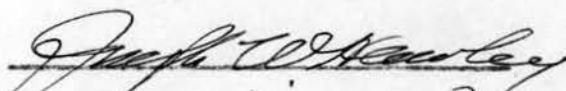


That applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 26th day of November, 1952.

mls

original

(Decision No. 39738)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
A. E. SNIDER AND W. J. GRUNINGER, )  
DOING BUSINESS AS "NEWS AND FILM )  
SERVICE," 1151 GALAPAGO STREET, DEN- )  
VER, COLORADO, FOR A CERTIFICATE OF )  
PUBLIC CONVENIENCE AND NECESSITY. )  
----- )

APPLICATION NO. 12061

-----  
November 26, 1952  
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Appearances: Bruce Ownbey, Esq., Denver,  
Colorado, for applicants;  
R. E. Turano, Denver, Colo-  
rado, and  
T. A. White, Esq., Denver,  
Colorado, for Rio Grande  
Motor Way, Inc.;  
Chas. Deisher, Denver, Colo-  
rado, for Continental Bus  
System, Inc.;  
Robert M. Campbell, Cedaredge,  
Colorado, pro se;  
Joe King, Denver, Colorado,  
for King Transportation  
Company.

S T A T E M E N T

By the Commission:

On September 9, 1952, A. E. Snider and W. J. Gruninger, doing business as "News and Film Service," 1151 Galapago Street, Denver, Colorado, filed their application for a certificate of public convenience and necessity to transport newspapers and moving picture and television films between the following points, including all intermediate points, and return, to-wit:

From Denver over U. S. Highway No. 6 to junction of Colorado Highway No. 91, thence over said highway No. 91 to Leadville, thence return over Highway No. 24 to U. S. Highway No. 6, and thence over Highway 6 to Grand Junction, thence over U. S. Highway Nos. 6 and 50 to Fruita, and return via the same route to Grand Junction, thence from Grand Junction over U. S. Highway No. 50 to Delta, thence over Colorado Highway No. 65 to Cedaredge, and thence return via the same route to the junction of Colorado Highway No. 130 with said Highway No. 65, thence over said Highway No. 130 to junction with Highway No. 92 at Austin, thence over Colorado Highway No. 135 to Paonia, and return over Highways Nos. 135 and 92 to Delta, thence over U. S. Highway No. 50 to Montrose.



The matter was regularly set for hearing, and heard, on November 5, 1952, at 330 State Office Building, Denver, Colorado, and at the conclusion of the hearing, the matter was taken under advisement.

At the hearing, the evidence disclosed that applicants are presently operating under authority from this Commission under Private Carrier Permit No. A-4500 to other parts of the State of Colorado. Applicants are desirous of expanding their business and presently have, or can acquire, suitable equipment to carry on this proposed service. They desire to deliver films especially, and some newspapers, to points along their proposed routes. The proposed service will be unscheduled and the rates to be assessed will be those that are prescribed or acceptable to the Commission. The evidence indicates, as shown by Exhibit "A" that applicants are financially responsible.

Mr. Gruninger, one of the co-partners, contends that there are no present carriers furnishing a complete and specialized service for the transportation of commodities asked for, and that they have had many requests from shippers to initiate this service. An examination of Mr. Gruninger's testimony reveals that there was considerable testimony as to the cost of operation of the proposed service and the revenue to be derived therefrom. From cross-examination by protestants, it appeared that applicants had not made a complete study of the cost of the proposed operation, and it did not appear to the Commission that applicants are fully cognizant of the territory, terrain, nor the cost of operation, and from the evidence given, the Commission cannot say what the cost per mile, or the adequacy of the schedule for their proposed operation would be.

Applicants had three witnesses present, one representing a theatre operator at Eagle and Minut, a shipper and distributor of motion pictures in Denver, and a state circulation manager for one of the Denver newspapers. These witnesses all indicated that the service they are now receiving is not as good as they desired, but none of the witnesses had called upon other carriers authorized to serve to improve this service, and from cross-examination, we cannot say that the present service offered is inadequate.

Rio Grande Motor Way, one of the protestants, presented Joe A. King, one of the owners of King Transportation Company, who, for the past several years has operated a specialized film and newspaper service to the area asked for in the instant application. Mr. King, in detail, described the service offered by him. In addition, Rio Grande Motor Way also offers a service to this territory as does Continental Bus Company. Robert Campbell, who operates the Eckert Truck Line, also offers a service over a portion of the area sought to be served by applicants.

After careful consideration of the evidence presented at the hearing, it appears to the Commission that adequate authority has been granted by this Commission to take care of all reasonable needs for shipping of film and newspapers. We do not say that the service being rendered by any one of the carriers is without fault, but we do believe that if said service is not good, that it could be made good by order of the Commission.

The Commission, during the past few years, has issued authority for the transportation of newspapers and films over a major portion of the area covered by the instant application. These carriers have operated for a few months and have then "folded up" due to the fact that the operation was not self-sustaining. We were impressed by the fact that applicants were not familiar with their costs, nor familiar with the amount of business they would receive, and we cannot say that said operation would be self-supporting. On the other hand, it appears to us that if said application is granted, it might have a tendency to destroy the efficiency of the present operators and eventually would destroy the presently-authorized service, thereby placing shippers and receivers of freight in a much worse position than they are now experiencing.

### FINDINGS

#### THE COMMISSION FINDS:

That the instant application should be denied for the reason that the Commission is not satisfied that the operation is needed, nor that it would be profitable to applicants, but we are satisfied that it would prove a burden upon shippers and receivers of freight in the area sought to be served by applicants, and for further reasons as more particularly set out in our Statement,

which, by reference, is made a part of these Findings.


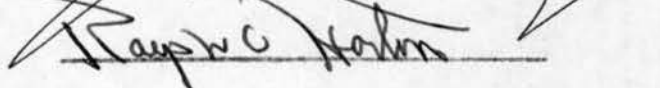
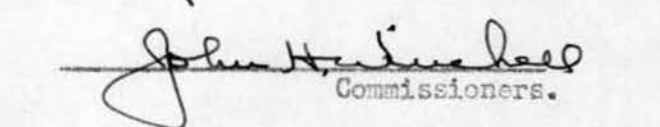
ORDER

THE COMMISSION ORDERS:

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

This Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 26th day of November, 1952.

ea



original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
J. W. WILL, OTIS, COLORADO, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A ) APPLICATION NO. 12074-PP  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
-----)

-----  
November 26, 1952  
-----

A ppearances: J. W. Will, Otis, Colorado,  
pro se;  
R. E. Turano, Denver, Colo-  
rado, for Rio Grande  
Motor Way, Inc.;  
H.D. Hicks, Denver, Colo-  
rado, for Weicker Transfer  
and Storage Company;  
Harold Swena, Golden, Colorado,  
pro se;  
Paul Hickman, Yuma, Colorado,  
for Yuma County Transportation  
Company.

S T A T E M E N T

By the Commission:

On August 21, 1952, J. W. Will, of Otis, Colorado, filed his application for a Class "B" permit to operate as a private carrier by motor vehicle for hire for the transportation of carburation equipment between Denver, Colorado, and all points in the State of Colorado.

The matter was regularly set for hearing, and heard, on October 8, 1952, at 330 State Office Building, Denver, Colorado, after appropriate notice to all parties in interest, and at the conclusion of the hearing, the matter was taken under advisement.

At the hearing, the evidence disclosed that applicant is the owner of a 1951 Buick Sedan which he uses for delivery and installation of carburation equipment for the Colorado Natural Gas Company; that he installs the equipment for the above-named company but does not own the same, but through his contract with the company is allowed payment for the transportation.

The evidence further discloses that applicant is well qualified financially and by experience to operate under a Class "B" private carrier permit.

Edward G. Seaman, of the Colorado Natural Gas Company, testified that the transportation is in the nature of a specialized service, that is, the applicant transfers certain carburation equipment from Denver to points throughout the State of Colorado, for the purpose of installation, title at all times remaining with the company. The equipment is not large or bulky and can be easily handled in an ordinary car.

Protestants failed to give any testimony.

The Commission, at first, was under the impression that possibly a commercial carrier permit was all that was necessary, but further inquiry and a review of the evidence indicates that the operation as presently proposed should be classified as a private carrier service. However, on the other hand, it could be possible, by a variance of the contract between the carrier and the Colorado Natural Gas Company, that a commercial carrier permit would suffice, but under the present arrangement, we cannot see that a commercial carrier permit would take care of this transportation need.

From the evidence before the Commission, we cannot see where the granting of this application would impair common carrier service, nor does it appear to the Commission that common carriers could adequately take care of this service because the major portion of the service would be located on farms and points distant from the line of scheduled common carriers.

## FINDINGS

### THE COMMISSION FINDS:

That the instant application, as hereinafter restricted, should be granted.

## ORDER

### THE COMMISSION ORDERS:

That J. W. Will, of Otis, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of carburation equipment between Denver, Colorado,



and all points in the State of Colorado, for the Colorado Natural Gas Company, only.

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 twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Kearney*  
*Ralph C. Holton*  
*John H. Linchell*  
Commissioners.

Dated at Denver, Colorado,  
this 26th day of November, 1952.

ea

original

(Decision No. 39740)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF  
ROYAL CAB COMPANY, 314 WEST  
NORTHERN AVENUE, PUEBLO, COLO-  
RADO.  
-----

PUC NO. 1882

RE MOTOR VEHICLE OPERATIONS OF  
WILLIAM F. HULE, DOING BUSINESS  
AS "A-ZONE CAB COMPANY," 106  
WEST THIRD STREET, PUEBLO, COLO-  
RADO.  
-----

PUC NO. 1944

-----  
November 26, 1952  
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Appearances: Robert W. Bartley, Esq.,  
Pueblo, Colorado, for  
Royal Cab Company, A-  
Zone Cab Company.

S T A T E M E N T

By the Commission:

By Decision No. 38998, of date July 18, 1952, the above-  
styled certificate-holders were authorized to suspend operations under  
PUC Nos. 1882 and 1944 until September 1, 1952.

By Decision No. 39287, of date August 29, 1952, said certificate-  
holders were authorized to further suspend operations under said certi-  
ficates until December 1, 1952.

The Commission is now in receipt of a communication from  
Robert W. Bartley, attorney, in behalf of said Royal Cab Company and  
A-Zone Cab Company, requesting authority to further suspend operations  
under PUC No. 1882 and PUC No. 1944 for a period of six months, beginning  
December 1, 1952.

F I N D I N G S

THE COMMISSION FINDS:

That the above-styled certificate-holders should be authorized  
to further suspend operations under PUC No. 1882 and PUC No. 1944 for a  
period of ninety days, only, commencing December 1, 1952, and that no  
further suspension of operations under said certificates should be authorized.

ORDER

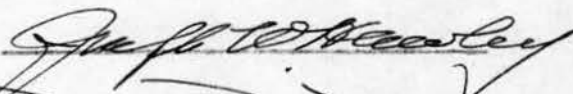
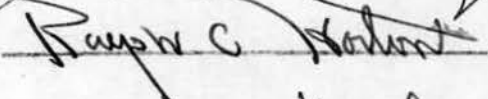
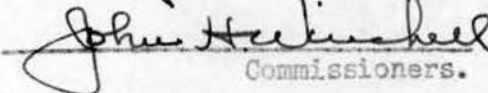
THE COMMISSION ORDERS:

That Royal Cab Company, Pueblo, Colorado, and William F. Rule, doing business as "A-Zone Cab Company," Pueblo, Colorado, should be, and they are hereby, authorized to further suspend operations under PUC No. 1882 and PUC No. 1944, respectively, for a period of ninety days, only, commencing December 1, 1952, or until March 1, 1953.

That no further suspension of operations under said certificates will be authorized at the expiration of the suspension period herein granted.

That unless said certificate-holders shall, prior to the expiration of said suspension period, reinstate said certificates by filing insurance and otherwise complying with all rules and regulations of the Commission applicable to common carrier certificates, said certificates, without further action by the Commission, shall stand revoked, without right to reinstate.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 26th day of November, 1952.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF  
BERT HALL, DOING BUSINESS AS "HALL  
TRUCK COMPANY," PARKER, COLORADO,  
FOR AUTHORITY TO LEASE PUC NO. 491  
TO HUBERT HALL, DOING BUSINESS AS  
"HALL TRUCK COMPANY," PARKER, COLO-  
RADO.

APPLICATION NO. 11187-Lease  
SUPPLEMENTAL ORDER

IN THE MATTER OF THE APPLICATION OF  
BERT HALL, DOING BUSINESS AS "HALL  
TRUCK COMPANY," PARKER, COLORADO,  
FOR AUTHORITY TO TRANSFER A PORTION  
OF PUC NO. 491 TO HUBERT HALL,  
DOING BUSINESS AS "DENVER-PARKER  
TRUCK LINE," PARKER, COLORADO.

APPLICATION NO. 11978-Transfer

IN THE MATTER OF THE APPLICATION OF  
BERT HALL, DOING BUSINESS AS "HALL  
TRUCK COMPANY," PARKER, COLORADO,  
FOR AUTHORITY TO TRANSFER A PORTION  
OF PUC NO. 491 TO RAYMOND E. BIEDER-  
MAN, DOING BUSINESS AS "FRANKTOWN  
TRUCK LINE," FRANKTOWN, COLORADO.

APPLICATION NO. 11979-Transfer

IN THE MATTER OF THE APPLICATION OF  
BERT HALL, DOING BUSINESS AS "HALL  
TRUCK COMPANY," PARKER, COLORADO,  
FOR AUTHORITY TO TRANSFER A PORTION  
OF PUC NO. 491 TO G. L. MUSGRAVE,  
KIOWA, COLORADO.

APPLICATION NO. 11980-Transfer

IN THE MATTER OF THE APPLICATION OF  
BERT HALL, DOING BUSINESS AS "HALL  
TRUCK COMPANY," PARKER, COLORADO,  
FOR AUTHORITY TO TRANSFER A PORTION  
OF PUC NO. 491 TO JESS MC KINSTER  
AND TED H. STEELE, BENNETT, COLORADO.

APPLICATION NO. 11981-Transfer

November 26, 1952

Appearances: Bert Hall, Parker, Colorado,  
pro se;  
Hubert Hall, Parker, Colo-  
rado, pro se;  
Raymond E. Biederman, Frank-  
town, Colorado, pro se;



G. L. Musgrave, Kiowa,  
Colorado, pro se;  
Jess McKinster, Bennett,  
Colorado, pro se, and  
for Ted H. Steele;  
W. T. Stover, Parker,  
Colorado, pro se.

#### S T A T E M E N T

By the Commission:

Bert Hall, doing business as "Hall Truck Company," Parker, Colorado, is the owner of PUC No. 491, which is a consolidation of various early authorities and recent authorities, authorizing transportation of freight, generally, or of specific commodities, in various areas described by metes and bounds, or otherwise.

By Application No. 11978, filed August 18, 1952, said certificate-holder seeks authority to transfer a portion of his authority under said certificate, specifically described, to Hubert Hall, doing business as "Denver-Parker Truck Line," Parker, Colorado.

By Application No. 11979, filed August 18, 1952, said certificate-holder seeks authority to transfer a portion of his authority under said certificate, specifically described, to Raymond E. Biederman, doing business as "Franktown Truck Line," Franktown, Colorado.

By Application No. 11980, filed August 18, 1952, said certificate-holder seeks authority to transfer a portion of his authority under said certificate, specifically described, to G. L. Musgrave, Kiow, Colorado.

By Application No. 11981, filed August 18, 1952, said certificate-holder seeks authority to transfer a portion of his authority under said certificate, specifically described, to Jess McKinster and Ted H. Steele, co-partners, Bennett, Colorado.

The four applications were set for hearing at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, September 9, 1952, with due notice to all interested parties, and at that time and place heard on a consolidated record.

At the hearing, Bert Hall, the certificate-holder, testified that he has operated his truck line for the past twenty-two years, but is now advanced in years and has physical disabilities that prevent his further

participation in the business. His son, Hubert Hall, has operated the certificate under lease since May, 1951, but has requested that the lease be cancelled, and that he be permitted to retain only a portion of the operating authority. Witness found it necessary to sell to others all of the authority that is not to be retained by his son. He attempted to sell the entire authority to one operator, but without success, and the only purchasers he had contacted that were interested are those named as transferees in the above applications, none of whom are interested in the purchase of any part of the authority, save that described in their respective applications for transfer. The authority and territory that he is authorized to serve have been so divided that each transferee can handle the portion to be transferred to him without help, which is almost impossible to obtain, and witness is of the opinion that each transferee can make a fair living in the area to be assigned to him. There is no indebtedness against the operation. Any ton-mile deposit to transferor's credit is to be returned to him. The present lease of the authority from witness to his son, Hubert Hall, is to be cancelled if and when the transfer of his part of the authority is authorized (request on file).

The consideration of the transfer to Hubert Hall is \$500.00, payable upon authorization of the transfer by this Commission.

The consideration of the transfer to Biederman, including one truck, is \$6,400.00, to be paid as follows: one-half in cash, payable upon approval of the transfer by this Commission, and the balance payable at the rate of \$100.00 per month, with interest at four per cent per annum, payable each six months, on the unpaid balance.

The consideration of the transfer to Musgrave, including one truck, is \$3,925.00, one-half payable upon approval of the transfer by this Commission, and the balance payable at the rate of \$100.00 per month, with interest at four per cent per annum, payable semi-annually.

The consideration of the transfer to McKinster and Steele is \$1,400.00, one-half to be paid upon approval of the transfer by this Commission, and the balance twelve months from that date, with interest at four per cent per annum.

Hubert Hall owns real estate in Parker, which is to be conveyed to transferor as full payment of the purchase price of his portion of the certificate.

Biederman's net worth is \$6,700.00. The net worth of Musgrave is \$3,750.00, and that of McKinster and Steele, \$12,100.00.

On his milk routes, transferor has thirty-six customers. Of these, four are to be served in the future by Hubert Hall, fifteen by Biederman, and seventeen by Musgrave. No authority for the transportation of milk is to be transferred to McKinster and Steele.

The parties agree that the number "PUC No. 491" should be assigned to that portion of the certificate which is to be transferred to McKinster and Steele.

Transferee Biederman testified that he has had two years experience in the transportation business under a Commercial Carrier Permit. He has operated the truck purchased from transferor under the Contract of Sale since August 16, 1952, and is satisfied that he can make a good living on the operation.

Transferee Musgrave testified to the same effect as to his portion of the certificate.

Transferee McKinster testified that he has had twenty-eight years experience in the transportation business, is familiar with the territory to be served under the freight authority to be transferred to himself and Steele, having lived in the neighborhood all his life, and that he has ample equipment to serve the area, his equipment list being on file with the Commission. He and Steele will operate as partners on a fifty-fifty basis, but have adopted no trade name.

The only opposition to the proposed transfer was voiced by W. T. Stover, a relative of Musgrave, who feared that the latter could not operate his portion of the transferred authority at a profit.

#### FINDINGS

##### THE COMMISSION FINDS:

That the proposed transfers are compatible with the public interest, and should be authorized, as set forth in the Order following.



That the present lease of PUC No. 491 to Hubert Hall should be cancelled.

### ORDER

#### THE COMMISSION ORDERS:

That lease agreement approved by this Commission by Decision 36925, of date June 13, 1951, in Application No. 11187 (authorizing Bert Hall, doing business as "Hall Truck Company," Parker, Colorado, to lease PUC No. 491 to Hubert Hall, doing business as "Hall Truck Company," Parker, Colorado), should be, and the same is hereby, set aside, vacated, and held for naught.

That Bert Hall, doing business as "Hall Truck Company," Parker, Colorado, should be, and he is hereby, authorized to transfer to Hubert Hall, doing business as "Denver-Parker Truck Line," Parker, Colorado, all his right, title, and interest in and to that portion of PUC No. 491 authorizing:

transportation of milk and cream to Denver from the following-described area, and freight and express, generally, between Denver, Colorado, and the following-described territory:

beginning at a point where the Parker-Happy Canon Road crosses Cherry Creek, as located in the NE $\frac{1}{4}$  of Section 21, Township 6-South, Range 66-West; thence south along the channel of Cherry Creek to the Parker-Castle Rock Road, being approximately on the south line of Section 34, Township 6-South, Range 66-West; thence southwesterly along said Parker-Castle Rock Road to a point on the south line of Section 4, Township 7-South, Range 66-West; thence west approximately one-half mile more or less to the southwest corner of said Section 4; thence north two miles to the southwest corner of Section 28, Township 6-South, Range 66-West; thence northwesterly approximately four miles on a diagonal line through Sections 29 and 19, Township 6-South, Range 66-West, and Sections 13 and 11, Township 6-South, Range 67-West to a junction with the Parker-Happy Canon Road, as located in the southeast quarter of said Section 11; thence southeasterly along the Parker-Happy Canon Road to Cherry Creek, being the point of beginning,

said operating rights so transferred to be consolidated with, become a part of, and be operated under, PUC No. 1556, now owned and operated by said Hubert Hall, doing business as "Denver-Parker Truck Line," Parker, Colorado.

That Bert Hall, doing business as "Hall Truck Company," Parker, Colorado, should be, and he is hereby, authorized to transfer to



Raymond E. Biederman, doing business as "Franktown Truck Line," Franktown, Colorado, all his right, title, and interest in and to that portion of PUC No. 491 authorizing:

transportation of milk and cream, freight and merchandise, in the following-described area, and between said area and the City and County of Denver, Colorado, but to no intermediate points:

all territory within a radius of six miles of Franktown, Colorado, except limited on the east by the Elbert-Douglas County Line,

a new number to be assigned to said operating rights so transferred.

That Bert Hall, doing business as "Hall Truck Company," Parker, Colorado, should be, and he is hereby, authorized to transfer to G. L. Musgrave, Kiowa, Colorado, all his right, title, and interest in and to that portion of PUC No. 491 authorizing:

transportation of milk and cream to Denver, Colorado, from the following territory, with freight and express generally between Denver and the following-described territory:

beginning at a point on the south line of Section 34, Township 6-South, Range 66-West, where Cherry Creek intersects the Parker-Castle Rock Road; thence east including service to the O'Brien Ranch a distance of six and one-half miles more or less to the southeast corner of Section 34, Township 6-South, Range 65-West; thence north six miles to the northeast corner of Section 3, Township 6-South, Range 65-West; thence west three miles to the northwest corner of Section 5, Township 6-South, Range 65-West; thence southwesterly approximately six miles through the Town of Parker to an intersection with the channel of Cherry Creek as located in the southwest corner of Section 22, Township 6-South, Range 66-West; thence southerly along the channel of Cherry Creek to its intersection with the Parker-Castle Rock Road, being the point of beginning.

milk and cream to Denver from the area described as follows:

beginning at a point south of the Denver-Parker Highway where Cherry Creek intersects the Denver City Limits on the west line of Section 18, Township 4-South, Range 67-West; thence southeasterly along the channel of Cherry Creek to its intersection with the Parker-Happy Canon Road, as located in the northeast quarter of Section 21, Township 6-South, Range 66-West; thence northwesterly along said Parker-Happy Canon Road to an intersection with the northwest diagonal line of Section 11, Township 6-South, Range 67-West, as located in the southeast quarter

of said Section 11; thence northwesterly along a diagonal line to the northwest corner of Section 3, Township 6-South, Range 67-West; thence east one mile more or less to the southwest corner of Section 35, Township 5-South, Range 67-West; thence north five miles to the northwest corner of Section 11, Township 5-South, Range 67-West; thence west one mile; thence north one mile; thence west one mile to the southwest corner of Section 33, Township 4-South, Range 67-West; thence north two miles more or less to the channel of Cherry Creek; thence northwesterly along said channel of Cherry Creek to the Denver City Limits, being the point of beginning,

a new number to be assigned to said operating rights so transferred.

That Bert Hall, doing business as "Hall Truck Company," Parker, Colorado, should be, and he is hereby, authorized to transfer to Jess McKinster and Ted H. Steele, co-partners, Bennett, Colorado, all his right, title, and interest in and to that portion of PUC No. 491 authorizing operation of a common carrier service, for the transportation, not on schedule, of:

livestock and general farm commodities (excluding milk and cream) from and to points within a radius of fifteen miles of Parker, Colorado, to and from all points in the State of Colorado,

said operating rights so transferred to be known as "PUC No. 491."

That said transfer shall become effective only if and when, but not before, said transferor and transferees, in writing, have advised the Commission that said certificates have been formally assigned and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this order within thirty (30) days from the effective date of the order shall automatically revoke the authority herein granted to make the transfers, without further order on the part of the Commission.

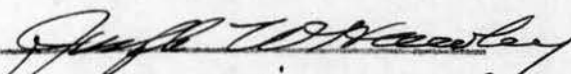
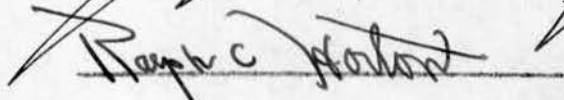
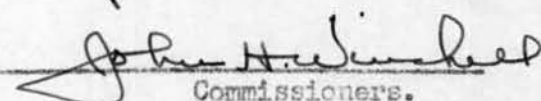
The tariff of rates, rules and regulations of transferor shall become and remain those of transferees until changed according to law and the rules and regulations of this Commission.

The right of transferees to operate under this order shall depend upon the prior filing by transferor of delinquent reports, if any, covering his operations under said certificate up to the time of the transfer of said certificate, and the payment by him or transferees of all unpaid ton-mile tax.

That ton-mile tax deposit of transferor shall be refunded to  
him.

This order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 26th day of November, 1952.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
FRED J. JANKOW, MINTURN, COLORADO, )  
FOR A CLASS "B" PERMIT TO OPERATE ) APPLICATION NO. 11842-PP  
AS A PRIVATE CARRIER BY MOTOR VE- )  
HICLE FOR HIRE. )  
----- )

-----  
November 26, 1952  
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S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing at the Court House, Glenwood Springs, Colorado, November 14, 1952, at ten o'clock A. M., with notice to all parties in interest.

On November 7, 1952, the Commission received a communication for applicant herein, requesting that said application be dismissed.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted.


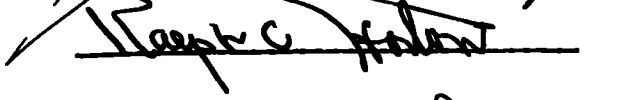

O R D E R

THE COMMISSION ORDERS:

That the above-styled application should be, and the same is hereby, dismissed, at request of applicant herein.

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 26th day of November, 1952.



original

(Decision No. 39743)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
CHECKER CAB COMPANY, INC., 745 WEST  
31ST AVENUE, DENVER, COLORADO, FOR  
AUTHORITY TO TRANSFER PUC NO. 2378  
TO YELLOW CAB COMPANY, INC., 738  
MAJESTIC BUILDING, DENVER, COLORADO.  
-----

APPLICATION NO. 11791-Transfer

IN THE MATTER OF THE APPLICATION OF  
YELLOW CAB COMPANY, INC., 738 MAJES-  
TIC BUILDING, DENVER, COLORADO, FOR  
AUTHORITY TO TRANSFER PUC NO. 2204  
TO CHECKER CAB COMPANY, INC., 745  
WEST 31ST AVENUE, DENVER, COLORADO.  
-----

APPLICATION NO. 11792-Transfer

SUPPLEMENTAL ORDER

-----  
November 26, 1952  
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Appearances: Barry and Hupp, Esqs.,  
Denver, Colorado, and  
Walter Simon, Esq., Denver,  
Colorado, for applicants;  
Joseph G. Hodges, Esq., Den-  
ver, Colorado, for Rocky  
Mountain Motor Company, Inc.;  
I. B. James, Denver, Colo-  
rado, for Denver-Boulder  
Bus Company;  
Thomas B. Masterson, Esq.,  
Denver, Colorado, for  
Colorado Sightseeing  
Association.

S T A T E M E N T

By the Commission:

By Decision No. 39206, of date August 19, 1952, Checker Cab Company, Inc., Denver, Colorado, was authorized to transfer all its right, title, and interest in and to PUC No. 2378 to Yellow Cab Company, Inc., and Yellow Cab Company, Inc., Denver, Colorado, was authorized to transfer all its right, title, and interest in and to PUC No. 2204 to Checker Cab Company, Inc., both companies operating in Denver, Colorado, and the transfers being subject to the payment of outstanding indebtedness. The operating authority of each company is fully set forth in said Decision No. 39206.

The purpose of the application upon which said Decision No. 39206 was based was the transfer of state-wide taxicab authority of Checker Cab Company, Inc., to Yellow Cab Company, Inc., which was only authorized to serve a limited territory. Checker operated a maximum of twenty-four cabs, and Yellow, a fleet of over one hundred taxicabs, and Yellow's trade name has a national reputation and the company received many calls which it could not service because of the limitation of its authority prior to the transfers authorized by said decision.

Since the date of said decision, applicants have filed with the Commission a request for an Order, nunc pro tunc, as of August 19, 1952, permitting Yellow Cab Company, Inc., to retain the number "PUC No. 2204," being the number of its original certificate, so that it will not be required to re-paint all of its taxicabs with the number under which Checker Cab Company, Inc. formerly operated, and that Checker Cab Company, Inc. be permitted to retain the number "PUC No. 2378," under which number it has formerly operated.

It is represented by the applicants that should each company be allowed to retain the number under which it formerly operated, and which is painted upon its taxicabs, it will save a substantial expenditure and future confusion by the traveling public relative to the identity of the two taxicab services.

### FINDINGS

#### THE COMMISSION FINDS:

That the request of applicants herein should be granted.

### ORDER

#### THE COMMISSION ORDERS:

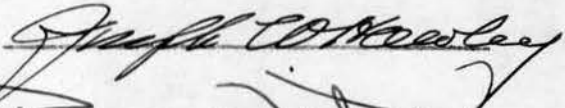
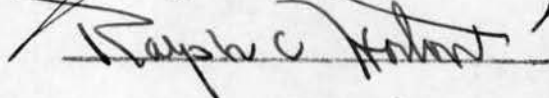
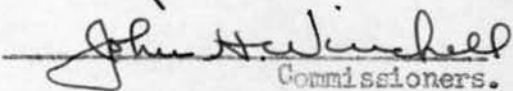
That Yellow Cab Company, Inc., Denver, Colorado, should be, and it hereby is, authorized to retain the number "PUC No. 2204," being the number of the certificate of public convenience and necessity under which said company formerly operated.

That Checker Cab Company, Inc., Denver, Colorado, should be, and it is hereby, authorized to retain the number "PUC No. 2378," being

the number of the certificate of public convenience and necessity under which said company formerly operated.

This Order shall become effective nunc pro tunc, as of August 19, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 26th day of November, 1952.

ea



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
ABNER G. BAKER, DOING BUSINESS AS )  
"AB'S TRUCK LINE," BOX 126, DIXON, )  
WYOMING, FOR AUTHORITY TO EXTEND ) APPLICATION NO. 12070-Extension  
OPERATIONS UNDER PUC NOS. 1210 )  
AND 1210-I. )  
----- )

-----  
November 26, 1952  
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Appearances: Abner G. Baker, Dixon,  
Wyoming, pro se;  
E. B. Evans, Esq., Denver,  
Colorado, for Leonard  
Gray, Vern Decker,  
Edgar Daugherty.

S T A T E M E N T

By the Commission:

By the instant application, Abner G. Baker, doing business as "Ab's Truck Line," Dixon, Wyoming, seeks authority to extend operations under PUC No. 1210 and PUC No. 1210-I to include the right to transport livestock within a radius of fifty miles of Slater, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Craig, Colorado, November 6, 1952, at ten o'clock A. M., and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, Abner G. Baker testified that he has been operating under PUC No. 1210 and PUC No. 1210-I, and he now seeks an extension of authority under said certificate to include the right to transport livestock. He has had several requests for the proposed service. A list of his equipment is on file with the Commission. He named the Urle Sheep and Cattle Company as one of his proposed customers, should the extension be granted.

Applicant produced no customer witnesss, and at the close of his testimony, counsel for protestants interposed a motion to dismiss the

application for failure of proof of public convenience and necessity, which motion was taken under advisement.

Not resting upon the motion, protestants introduced the testimony of Leonard Gray, Vern Decker and Edgar Daugherty, each of whom testified that the area in which applicant herein wished to operate as a livestock hauler is now well served by protestants, and there is no need for an additional carrier in the area.

The Commission has consistently refused to grant an application for certificate of public convenience and necessity of this nature when it is not supported by shipper witnesses, and when it is vigorously protested, as in the instant application, and substantial evidence is given in support of the protests.

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

##### THE COMMISSION FINDS:

That the motion of protestants interposed at the close of applicant's testimony should be granted.

#### O R D E R

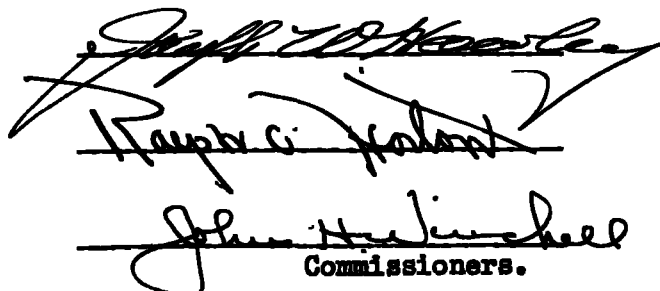
##### THE COMMISSION ORDERS:

That the motion of protestants herein for the dismissal of said application for failure of applicant to prove public convenience and necessity for the proposed extended service should be, and hereby is, granted.

That the above-styled application should be, and the same hereby is, denied.

This order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 26th day of November, 1952.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
ROBERT T. PATTISON, CARBONDALE, )  
COLORADO, FOR A CERTIFICATE OF PUB- )  
LIC CONVENIENCE AND NECESSITY. )  
-----

APPLICATION NO. 11926-Amended

-----  
November 14, 1952  
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Appearances: Harry F. Claussen, Esq., Glenwood.  
Springs, Colorado, for applicant;  
Allyn Cole, Esq., Glenwood Springs,  
Colorado, for Natalie A. Gignoux.

S T A T E M E N T

By the Commission:

The instant application was set for hearing at the Court House,  
Glenwood Springs, Colorado, November 14, 1952, after due notice to all  
parties in interest.

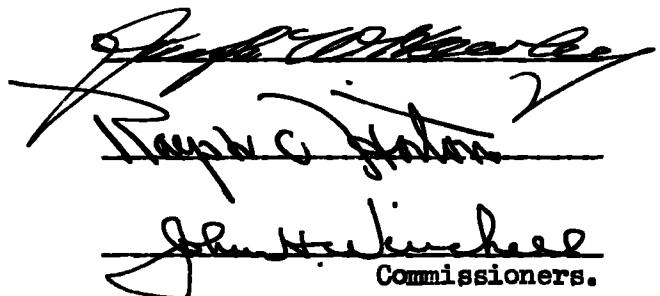
At said time and place, the parties hereto stipulated that the  
present setting be vacated, and that the instant application be re-set for  
hearing at Glenwood Springs, Colorado, at some future time convenient to  
the Commission.

O R D E R

THE COMMISSION ORDERS:

That the present setting for hearing of the instant application  
be, and the same is hereby, vacated, said application to be re-set for  
hearing at Glenwood Springs, Colorado, at some future date convenient to  
the Commission.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 14th day of November, 1952.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
ROY G. TUCKER, 401 RUSSELL STREET, )  
CRAIG, COLORADO, FOR AUTHORITY TO ) APPLICATION NO. 12065-PP  
OPERATE AS A CLASS "B" PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
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November 26, 1952  
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Appearances: Leo K. Tucker, 776 Taylor  
Street, Craig, Colorado,  
for applicant.

S T A T E M E N T

By the Commission:

By the instant application, Roy G. Tucker, Craig, Colorado, seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials and slag, 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 between points within Routt and Moffat Counties, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Craig, Colorado, November 6, 1952, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, Leo K. Tucker testified that he is a son of applicant, and has been hauling sand, gravel, and road-surfacing materials under lease of applicant's equipment. Applicant owns a 1951 Ford dump truck, and his net worth is \$5,000.00. He has had experience in the transportation business.

No one appeared in opposition to the granting of the authority sought.

It did not appear that applicant's proposed operation will tend

to impair the efficiency of any motor vehicle common carrier operating in the territory sought to be served by applicant.

F I N D I N G S

THE COMMISSION FINDS:

That the instant application should be granted.

O R D E R

THE COMMISSION ORDERS:

That Roy G. Tucker, Craig, Colorado, should be, and he is hereby, 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, and slag, 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 between points within Routt and Moffat Counties, Colorado.

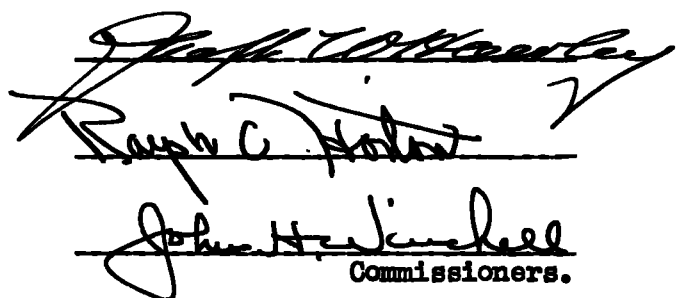
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 26th day of November, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
HOYT DEEVER, CRAIG, COLORADO, FOR )  
AUTHORITY TO EXTEND OPERATIONS UNDER )  
PERMIT NO. A-1994. )  
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APPLICATION NO. 12067-PP-Extension

-----  
November 26, 1952  
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Appearances: T. A. Stockton, Jr., Esq.  
Denver, Colorado, for  
applicant.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing at the Court House, Craig, Colorado, November 6, 1952, at ten o'clock A. M., with notice to all parties in interest.

On November 3, 1952, the Commission received a communication from applicant herein, stating he no longer desired to prosecute said application.

F I N D I N G S

THE COMMISSION FINDS:

That said application should be dismissed, as requested by applicant herein.

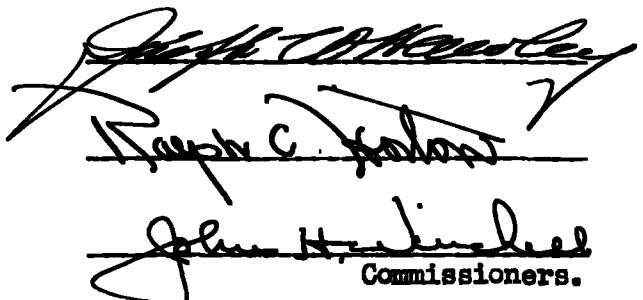
O R D E R

THE COMMISSION ORDERS:

That the above-styled application should be, and the same is hereby, dismissed, at request of applicant.

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 26th day of November, 1952.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
ELMER A. HUTTON, 205 WEST EIGHTH )  
STREET, CRAIG, COLORADO, FOR AUTHOR- ) APPLICATION NO. 12068-PP-Extension  
ITY TO EXTEND OPERATIONS UNDER PER- )  
MIT NO. A-3095. )  
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-----  
November 26, 1952  
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Appearances: Elmer A. Hutton, Craig,  
Colorado, pro se.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to extend operations under Permit No. A-3095 to include the right to transport coal from Taylor Coal Mine to Craig, Colorado, a distance of thirty-four miles, over Colorado State Highway No. 13.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Craig, Colorado, November 6, 1952, at ten o'clock A. M., and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, applicant testified that he has been hauling coal under Private Carrier Permit No. A-3095 from the Mount Streeter Mine of the Colowyo Coal Company, near State Highway No. 13, to railroad loading points in or near Craig, Colorado. He has been requested by Carl Tesitorre, Manager of the Taylor Coal Mine, to obtain an extension of his authority under said permit to authorize the transportation of coal from the Taylor Coal Mine, approximately thirty-four miles from Craig, Colorado, over Colorado State Highway No. 13, to railroad loading points in or near Craig, in intrastate commerce.

Applicant's equipment consists of one 1941 White Truck, with Timpfe Trailer, and his net worth is \$5,000.00.

No one appeared in opposition to the granting of the authority



sought.

The operating experience and financial responsibility of applicant were established to the satisfaction of the Commission.

It did not appear that applicant's proposed extended service will tend to impair the efficiency of any motor vehicle common carrier operating in the territory sought to be served by applicant.

### F I N D I N G S

#### THE COMMISSION FINDS:

That said application should be granted.

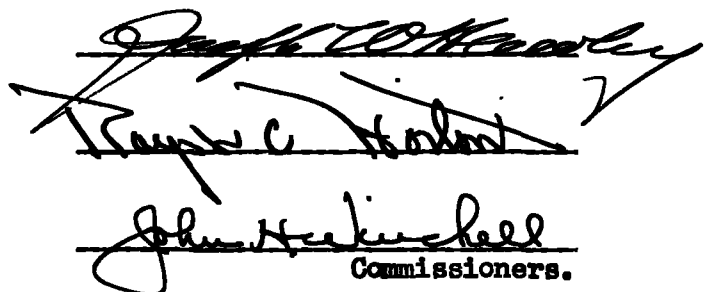
### O R D E R

#### THE COMMISSION ORDERS:

That Elmer A. Hutton, Craig, Colorado, should be, and he is hereby, authorized to extend operations under Permit No. B-3095 to include the right to transport coal from Taylor Coal Mine to Craig, Colorado, a distance of thirty-four miles, over Colorado State Highway No. 13.

This order is made a part of the permit granted to applicant, and shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 26th day of November, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
MAHLON M. GATES, CRAIG, COLORADO, )  
FOR A CLASS "B" PERMIT TO OPERATE ) APPLICATION NO. 12069-PP  
AS A PRIVATE CARRIER BY MOTOR VE- )  
HICLE FOR HIRE. )  
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-----  
November 26, 1952  
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Appearances: Mahlon M. Gates, Craig,  
Colorado, pro se.

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 the Taylor Coal Mining Company Coal Mine, located on Highway No. 13, about thirty-four miles south of Craig, Colorado, over said Colorado State Highway No. 13 to the Taylor Coal Mining Company tipple, in Craig, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Craig, Colorado, November 6, 1952, at ten o'clock A. M.

At the hearing, applicant testified that he has been engaged as a truck driver for several years. He owns two White Trucks, 1944, and two Timpfe Trailers. His net worth is \$5,000.00. He has been requested by Carl Tesitorre, Manager of Taylor Coal Mining Company, to obtain the authority sought in his application.

The operating experience and pecuniary responsibility of applicant were established to the satisfaction of the Commission.

It did not appear that applicant's proposed operation will tend to impair the efficiency of any motor vehicle common carrier operating in the territory sought to be served by applicant.

## F I N D I N G S

### THE COMMISSION FINDS:

That authority sought should be granted.

## O R D E R

### THE COMMISSION ORDERS:

That Mahlon M. Gates, Craig, Colorado, should be, and he is hereby, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of coal from the Taylor Coal Mining Company Coal Mine, located on Highway No. 13, about thirty-four miles south of Craig, Colorado, over said Colorado State Highway No. 13 to the Taylor Coal Mining Company tipple, in Craig, Colorado.

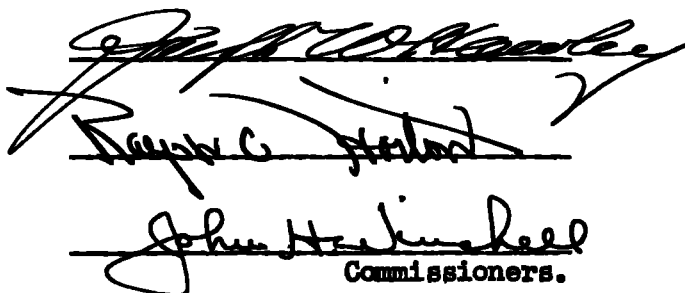
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 26th day of November, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
EARL E. SHORT, BOX 327, CRAIG, COLO- )  
RADO, FOR A CLASS "B" PERMIT TO OP- )  
ERATE AS A PRIVATE CARRIER BY MOTOR )  
VEHICLE FOR HIRE. )  
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APPLICATION NO. 12066-PP

-----  
November 26, 1952  
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Appearances: E. B. Evans, Esq., Denver,  
Colorado, for Leonard Gray,  
et al.

S T A T E M E N T

By the Commission:

By the instant application, Earl E. Short, Craig, Colorado, seeks a re-issue of Permit No. B-3965, and also seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of 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 seventy-five-mile radius of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties, except hauling may be done in Boulder County for the Boulder Toll Road, only; coal from the northern Colorado coal fields to Denver, Colorado.

Said application was regularly set for hearing, with notice to all parties in interest, at the Court House, Craig, Colorado, November 6, 1952, at ten o'clock A. M.

When the application was called for hearing, applicant did not appear, either in person or by counsel.

E. B. Evans, Esq., attorney for protestants, called attention to the fact that Private Carrier Permit No. B-3965, heretofore issued to Earl E. Short, included authority for the transportation of lumber from sawmills within a radius of seventy miles of Craig, to points within said radius. Said Permit No. B-3965 had been cancelled, and protestants moved to dismiss

the instant application, insofar as it applies to re-issue of said Permit No. B-3965 authorizing transportation of lumber, but stated there was no objection to issue of a general sand, gravel, and coal authority.

The motion was taken under advisement.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the application should be granted, as limited in the Order following.

### O R D E R

#### THE COMMISSION ORDERS:

That Earl E. Short, Craig, Colorado, should be, and he is hereby, 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 seventy-five miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties, but authorizing service in Boulder County for the Boulder Toll Road, only; coal from the northern Colorado coal fields to Denver, Colorado.

That said application be, and is hereby, denied so far as the re-issue of Private Permit No. B-3965 is concerned.

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

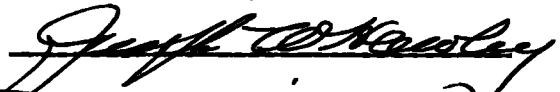
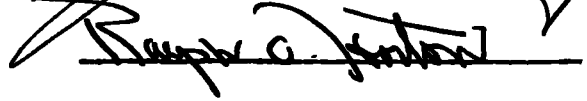

That this order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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 the number "Permit No. B-3965" shall be assigned to the operating rights herein granted.

That this Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 26th day of November, 1952.

mls

original

(Decision No. 39751)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
M. ELIZABETH BOWDEN, AS ADMINISTRA- )  
TRIX OF THE ESTATE OF CLARENCE WESSON )  
BURROW, DECEASED, FOR ORDER AUTHOR- )  
IZING TRANSFER OF CERTIFICATE OF )  
PUBLIC CONVENIENCE AND NECESSITY TO )  
JOE G. DABNEY. )  
----- )

APPLICATION NO. 12041

IN THE MATTER OF THE APPLICATION OF )  
SOUTHEAST COLORADO POWER ASSOCIATION )  
FOR ORDER TRANSFERRING CERTIFICATE )  
OF CONVENIENCE AND NECESSITY, OR )  
OTHER AUTHORITY, FROM JOE G. DABNEY, )  
DOING BUSINESS AS "WESSON ELECTRIC )  
COMPANY," KIM, COLORADO, TO APPLI- )  
CANT. )  
----- )

APPLICATION NO. 12058

-----  
November 26, 1952  
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Appearances: Carl M. Shinn, Esq., La Junta,,  
Colorado, for Southeast  
Colorado Power Association;  
B. H. Shattuck, Esq., Trinidad,  
Colorado, for Elizabeth  
Bowden, Administratrix;  
C. L. Flower, Denver, Colorado,  
and  
J. M. McNulty, Denver, Colo-  
rado, for the Commission.

STATEMENT

By the Commission:

The above-entitled applications were set for hearing, after  
due notice to all interested parties, to be heard on November 21, 1952,  
at ten o'clock A. M., in the Commission's Hearing Room, 330 State Office  
Building, Denver, Colorado, and heard on said date on a consolidated  
record by the Commission, and taken under advisement.

On May 8, 1939, in Application No. 2283A, Decision No. 13456,  
Mr. Wesson Burrow obtained a certificate of public convenience and nec-  
essity from this Commission by transfer from Mr. R. H. Quinn, authorizing



him to operate an electric utility in the Town of Kim, Colorado. Mr. Burrow was authorized by the Commission on July 26, 1940, by Decision No. 15716, to do business under the name of "Wesson Electric Company." Mr. Burrow operated the electric utility at Kim under the authority granted, up until the time of his death. After his death, his widow, Mrs. Elizabeth Burrow, was appointed administratrix of her husband's estate and, on October 13, 1948, she leased the operation of the electric utility at Kim, together with the certificate of public convenience and necessity to Joe G. Dabney and Frank Bennington for a period of one year with the option to lessees to purchase within said time if they so desired.

Mrs. Elizabeth Burrow is now Mrs. Elizabeth Bowden and is still the administratrix of her late husband's estate, and she seeks by Application No. 12041, to sell the physical assets of said company, with the certificate of public convenience and necessity, to Mr. Joe G. Dabney.

Testimony at the hearing revealed that Mr. Dabney is now the sole operator of the electric utility at Kim, having bought out his former partner, Mr. Frank Bennington. He has been operating this utility since obtaining the lease previously mentioned. He now proposes to purchase from the administratrix the physical assets of the electric utility, including all machinery and equipment, meters, transmission and distribution system and all facilities of said business, and also the certificate of public convenience and necessity heretofore issued by this Commission to Mr. Wesson Burrow. The purchase price for said utility business and the certificate is \$4,000.00, payable in cash upon the transfer thereof.

Introduced at the hearing as Exhibit No. 1, was a certified copy of a Court Order granting permission to Elizabeth Bowden, as Administratrix, to sell the Wesson Electric Company at Kim to Joe G. Dabney. Exhibit No. 2, introduced at the hearing, was an affidavit of Elizabeth Bowden agreeing to sell the Wesson Electric Company to Joe G. Dabney.

Exhibit No. 3, introduced at the hearing, was a Contract of Sale between Elizabeth Bowden, as Administratrix, and Joe G. Dabney for the sale and purchase of the Wesson Electric Company at Kim. Said Contract enumerates the physical assets to be purchased, together with the certificate of public convenience and necessity, and the purchase price of the above, all subject to the approval of this Commission.

Mr. J. N. Myers, Manager of the Southeast Colorado Power Association, La Junta, Colorado, hereinafter called "Southeast," testified at the hearing that the Board of Directors of Southeast had duly recorded in their Minutes, at a regular meeting, their intent to purchase the Wesson Electric Company. Offered in evidence was Exhibit No. 6, a copy of the Minutes of the regular meeting of the Board of Directors of Southeast, held April 16, 1952, wherein the Board accepted a ninety-day option to purchase the Wesson Electric Company. Also introduced at the hearing as Exhibit No. 7 was a copy of the Minutes of the regular meeting of the Board of Directors of Southeast of July 16, 1952, wherein said board agreed to take up the option to purchase the Wesson Electric Company from Joe G. Dabney for the sum of \$5,500.00. As a result of the action of the Board of Directors of Southeast at the regular meeting of April 16, 1952, a formal option to purchase was drawn up and executed between Joe G. Dabney and Southeast Colorado Power Association. A copy of this option was filed in the instant matter as Exhibit No. 4. Exhibit No. 5, introduced at the hearing, is a copy of an Agreement made by and between Joe G. Dabney and Southeast Colorado Power Association, dated July 16, 1952, wherein, among other things, the sale price of the Wesson Electric Company is set forth, together with the physical assets to be purchased, and outlining in specific terms the manner in which said purchase and the payment thereof shall be made.

Mr. Myers further testified that Southeast has constructed a three-phase electrical transmission line to serve the Town of Kim, being the area covered by the certificate issued to Wesson Burrow, doing business

as "Wesson Electric Company." Southeast utilized fifteen (15) miles of its existing pole line and constructed 35 miles of new pole line to bring this service to Kim at a cost of \$70,000.00. The distribution system in Kim has been re-built by Southeast at a cost of \$8,000.00, and it was his opinion that Southeast is now in a position to render reliable electric service to Kim. Under the terms of the agreement to purchase, Southeast will not buy any real estate, or the poles and wire in the distribution system in Kim. The poles and wire are to be retained by Mr. Dabney and he has agreed to remove them at his expense just as soon as possible.

Under a mutually agreed upon plan between Mr. Dabney and Southeast, service has been rendered to Kim by Southeast since September 16, 1952, at which time the new transmission and distribution system was ready for service. Southeast is serving approximately 75 customers in Kim at the present time.

Mr. Myers stated that Southeast would adopt the schedules of rates of the Wesson Electric Company, filed with the Commission, as its own, all in accordance with the Rules of Practice and Procedure of this Commission. Just as soon as this adoption is completed, Southeast proposes to immediately refile its electric rate schedules to incorporate in them the service to Kim. Mr. Myers stated that he was familiar with the Articles of Incorporation of Southeast and he knew that they had been amended to include service to non-members. As a part of this record reference is made to Application No. 1127A and the amended Articles of Incorporation filed therein authorizing Southeast to serve non-members.

Mr. Joe G. Dabney testified at the hearing that he has been operating the Wesson Electric Company at Kim for approximately four years. The only debts outstanding at the present time against the Wesson Electric Company were customers' deposits in the amount of \$100, and he was rebating to each customer the amount deposited as the customer came in to pay his electric bill. It was his intention to refund all of the outstanding deposits so that there would be no obligations outstanding against the Wesson Electric Company. He further agreed that he would remove the poles and wire of the distribution system of the Wesson Electric Company



and estimated that it would probably take an additional three weeks time within which to complete this work.

No objection to the transactions involved in these two applications was filed with the Commission and no one appeared at the hearing in opposition thereto.

### F I N D I N G S

#### THE COMMISSION FINDS:

That Elizabeth Bowden, Administratrix, should be permitted to sell and transfer to Joe G. Dabney, the Wesson Electric Company and the certificate of public convenience and necessity held in the name of Wesson Burrow, all in accordance with the Court Order, and the Contract of Sale, being Exhibits Nos. 1 and 3 introduced at the hearing, said exhibits, by reference, being made a part of these Findings.

That Joe G. Dabney should be permitted to sell and transfer to Southeast Colorado Power Association, the Wesson Electric Company and the certificate of public convenience and necessity, all in accordance with the purchase agreement between said Dabney and Southeast, as shown by Exhibit No. 5 introduced at the hearing, which, by reference, is made a part of these Findings.

### O R D E R

#### THE COMMISSION ORDERS:

That the public convenience and necessity require the transfer and sale of the Wesson Electric Company and the certificate of public convenience and necessity held in the name of Wesson Burrow, by Elizabeth Bowden, Administratrix, to Joe G. Dabney of Kim, Colorado, all in accordance with the Court Order and the Contract of Sale set forth in Exhibits Nos. 1 and 3 introduced at the hearing, which exhibits, by reference, are made a part hereof.

That the public convenience and necessity require the transfer and sale of the Wesson Electric Company and the certificate of public convenience and necessity by Joe G. Dabney, Kim, Colorado, to the Southeast Colorado Power Association, all in accordance with the purchase agreement, being Exhibit No. 5 introduced at the hearing, which exhibit, by

reference is made a part hereof.

That upon completion and consummation of the transfers herein authorized, Southeast Colorado Power Association shall take over and acquire all privileges and rights of the Wesson Electric Company, and its certificate of public convenience and necessity in the area heretofore served by Wesson Electric Company, and shall assume and discharge all obligations thereby imposed upon said Wesson Electric Company under said certificate, and shall furnish service, including, without limiting the generalities of the foregoing, the sale of electrical energy without discrimination between members and non-members of the Association.

That the Southeast Colorado Power Association shall adopt as its own the rates, rules and tariffs of the Wesson Electric Company now on file with this Commission in the manner prescribed by the Commission's Rules of Practice and Procedure.

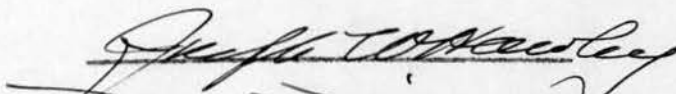
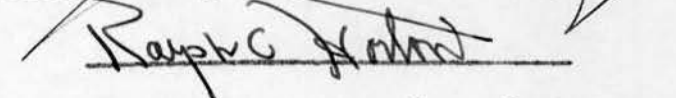
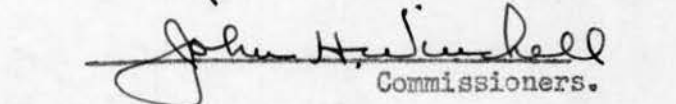
That immediately after the adoption of said schedules, the Southeast Colorado Power Association be, and it hereby is, authorized to file a complete new tariff of rates, rules and regulations to render service to its present and prospective customers now acquired or to be acquired in the area covered by the certificate of public convenience and necessity obtained by this transfer, said tariff to be identical with the tariff under which Southeast now serves its presently existing customers, both members and non-members.

That the Commission retains jurisdiction of these proceedings to the end that it may make such further order or orders in the premises as to it may seem proper and desirable.

That the Southeast Colorado Power Association shall notify this Commission, in writing, within thirty days after the consummation of the transfer from Joe G. Dabney authorized herein; a period of six months after the effective date of this order being herein granted within which to complete the transaction.

This order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 26th day of November, 1952.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
DAVID P. CLOW, CRAIG, COLORADO, FOR )  
AUTHORITY TO TRANSFER PUC NO. 1290 )  
TO E. M. DOAK AND D. LULU DOAK, CO- ) APPLICATION NO. 12071-Transfer  
PARTNERS, DOING BUSINESS AS "CRAIG )  
CAB COMPANY," CRAIG, COLORADO. )  
----- )

-----  
November 26, 1952  
-----

Appearances: Fred A. Videon, Esq., Craig,  
Colorado, for applicants.

S T A T E M E N T

By the Commission:

By Decision No. 13251, of date March 25, 1939, Russell B.

Mattingly was authorized to establish a:

call and demand taxicab service from point to  
point within a radius of fifty miles of Craig,  
Colorado, and from said area to and from any  
point within the State of Colorado, equipment  
used thereunder to be limited to passenger cars  
of not to exceed seven-passenger capacity, all  
service to be on call and demand, and not on schedule.

Pursuant to authority contained in Decision No. 27019, of date  
June 5, 1946, David P. Clow, Craig, Colorado, acquired said operating  
rights, viz., PUC No. 1290.

By the instant application, said David P. Clow, Craig, Colo-  
rado, seeks authority to transfer PUC No. 1290 to E. M. Doak and D. Lulu  
Doak, co-partners, doing business as "Craig Cab Company," Craig, Colorado.

Said application, pursuant to prior setting, after appropriate  
notice to all parties in interest, was heard at the Court House, Craig,  
Colorado, November 6, 1952, at ten o'clock A. M., and at the conclusion  
of the evidence, the matter was taken under advisement.



At the hearing, David P. Clow testified that he has been operating under this authority since 1946; that the agreed purchase price for the authority and equipment of transferor has been paid in full, and a list of the equipment used in the operation is on file with the Commission. Transferees will operate as co-partners, doing business as "Craig Cab Company," Craig, Colorado. Their net worth is \$18,000.00, and there is no indebtedness against the operation, nor do transferees have any personal obligations. Transferees have operated under the certificate since 1949, under Contract of Purchase.

E. M. Doak, one of transferees, corroborated the testimony of Mr. Clow.

### 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 David P. Clow, Craig, Colorado, should be, and he is hereby, authorized to transfer all his right, title, and interest in and to PUC No. 1290 — being the operating rights acquired by him pursuant to authority contained in Decision No. 27019 — to E. M. Doak and D. Lulu Doak, co-partners, doing business as "Craig Cab Company," Craig, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That said transfer shall become effective only if and when, but not before, said transferor and transferees, in writing, have advised the Commission that said certificate has been formally assigned and that said parties have accepted and in the future will comply with the conditions and requirements of this order to be by them, or either of them,

kept and performed. Failure to file said written acceptance of the terms of this order within thirty (30) days from the effective date of the order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission.

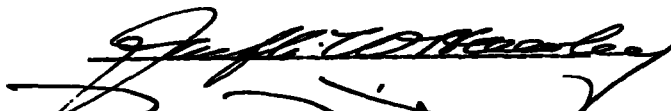
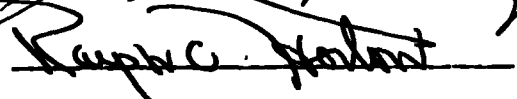

The tariff of rates, rules and regulations of transferor shall become and remain those of transferees until changed according to law and the rules and regulations of this Commission.

The right of transferees to operate under this order shall depend upon the prior filing by transferor of delinquent reports, if any, covering his operations under said certificate up to the time of the transfer of said certificate, and the payment by him or transferees of all unpaid passenger-mile tax.

That passenger-mile tax deposit of transferor shall be transferred and credited to account of transferees herein.

This order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 26th day of November, 1952.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
N. L. CHRISTENSON, 811 23RD ) PERMIT NO. B-4275  
STREET, DENVER, COLORADO. )  
----- )

-----  
November 26, 1952  
-----

S T A T E M E N T

By the Commission:

By Decision No. 38862, of date June 25, 1952, N. L. Christenson, Denver, Colorado, was authorized to suspend operations under Permit No. B-4275 until December 19, 1952.

The Commission is now in receipt of a communication from said permit-holder, requesting authority to further suspend operations under Permit No. B-4275 for a period of six months.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted.

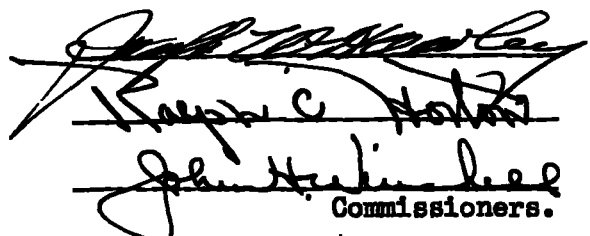
O R D E R

THE COMMISSION ORDERS:

That N. L. Christenson, Denver, Colorado, should be, and he is hereby, authorized to further suspend operations under Permit No. B-4275 until June 19, 1953.

That unless said permit-holder 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 permit, said permit, without further action by the Commission, shall stand revoked, without right to reinstate.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 26th day of November, 1952.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
J. R. FARMER, DOING BUSINESS AS )  
"DELTA COAL AND TRANSFER CO.," )  
348 MAIN STREET, DELTA, COLORADO. )  
----- )

CASE NO. 61847-INS.  
(Permit No. B-1305)

-----  
November 26, 1952  
-----

S T A T E M E N T

By the Commission:

On July 11, 1952, in Case No. 61847-Ins., the Commission entered an order revoking Permit No. B-1305 for failure to keep on file the required certificate of insurance.

It appears that permittee is also the holder of a commercial carrier permit and it was the intent to cover both the commercial and private permits under one policy, but through misunderstanding both permits were not included and the above-numbered permit was revoked. A lapse of 11 days occurred, for which Delta Coal and Transfer Co., was not covered.

It has been agreed by the Commission to set aside the revocation of Permit No. B-1305 and accept the insurance showing a 11-day lapse, provided permittee filed a sworn statement that no loss or damage occurred during the 11-day period. Said statement is now on file, permittee is fully covered by insurance, and our order of revocation should be set aside.

F I N D I N G S

After careful consideration of the record and the files, the Commission is of the opinion, and finds, that our revocation order entered in Case No. 61847-Ins., should be cancelled and set aside, and said Permit No. B-1305 restored to its former status.

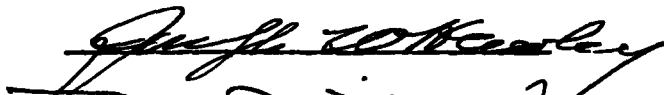
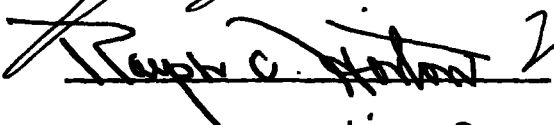

O R D E R

THE COMMISSION ORDERS:

That revocation order entered on July 11, 1952, in Case No. 61847-Ins., should be, and it hereby is, cancelled and set aside, and said Permit

No. B-1305 restored to its former status as of July 11, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 26th day of November, 1952.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
BUD THOMPSON AND LUCILLE B. )  
THOMPSON, 728 HOLLY STREET, )  
DENVER, COLORADO. )  
-----

PERMIT NO. B-3827

-----  
November 28, 1952  
-----

S T A T E M E N T

By the Commission:

On June 5, 1952, the Commission authorized Bud Thompson and Lucille B. Thompson, Denver, Colorado, to suspend operations under their Permit No. B-3827 until December 1, 1952.

The Commission is now in receipt of a communication from the above-named permittees requesting that their permit be reinstated.

F I N D I N G S

THE COMMISSION FINDS:

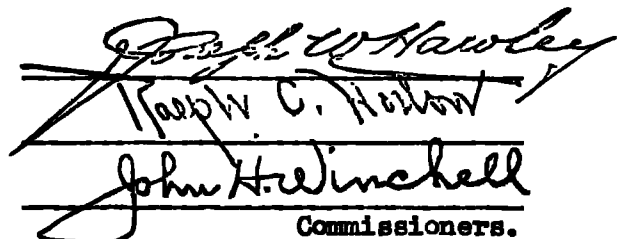
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-3827 should be, and the same hereby is, reinstated as of November 21, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 28th day of November, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
BERTHA CHRISTENSON, 811 23RD )  
STREET, DENVER, COLORADO. )  
-----

PERMIT NO. B-2799

-----  
November 28, 1952  
-----

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-2799 be suspended for six months from November 24, 1952.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

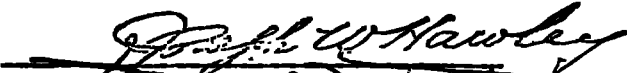
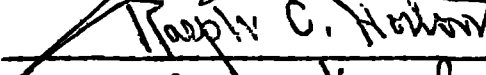
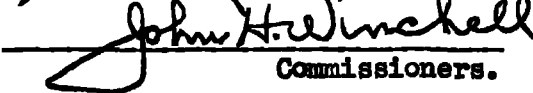
O R D E R

THE COMMISSION ORDERS:

That Bertha Christenson, Denver, Colorado, be, and she is hereby, authorized to suspend her operations under Permit No. B-2799 until May 24, 1953.

That unless said Bertha Christenson, Denver, Colorado, 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

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 28th day of November, 1952.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ORIS CHRISTENSON, 36 EAST 55th )  
AVENUE, DENVER 16, COLORADO. )  
-----

PERMIT NO. B-4062

-----  
November 28, 1952  
-----

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-4062 be suspended for six months from November 24, 1952.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

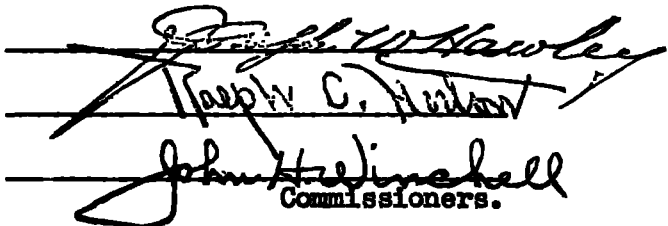
O R D E R

THE COMMISSION ORDERS:

That Oris Christenson, Denver, Colorado, be, and he is hereby, authorized to suspend his operations under Permit No. B-4062 until May 24, 1953.

That unless said Oris Christenson, Denver, Colorado, 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

  
Commissioners.

Dated at Denver, Colorado,  
this 28th day of November, 1952.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JOE W. SIMMONS, DOING BUSINESS )  
AS "SIMMONS DISTRIBUTING CO.," )  
1130 BRAGDON, PUEBLO, COLORADO. ) PERMIT NO. C-29341  
)  
)  
-----

-----  
December 5, 1952  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Joe W. Simmons, dba "Simmons Distributing Co."-----  
requesting that Permit No. C-29341 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

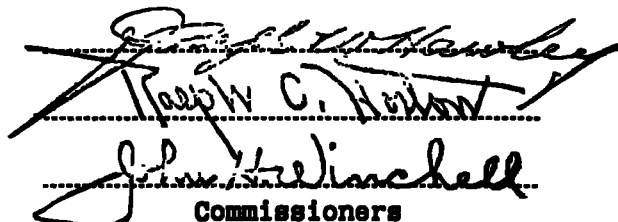
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-29341, heretofore issued to-----  
Joe W. Simmons, dba "Simmons Distributing Co."-----be,  
and the same is hereby, declared cancelled effective November 2, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 5th day of December, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO.

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
FLOYD ARCHULETA, CERRO, NEW )  
MEXICO. )  
 )  
 )  
 )  
 )  
 )  
-----

PERMIT NO. C-27430

-----  
December 5, 1952  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Floyd Archuleta-----  
requesting that Permit No. C-27430-----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-27430-----, heretofore issued to-----  
Floyd Archuleta-----be,  
and the same is hereby, declared cancelled effective November 3, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Winchell*  
*Thos V. C. Norton*  
-----  
Commissioners

Dated at Denver, Colorado,  
this 5th day of December, 1952.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JOHN G. KINTZ, BOX 92, Lake )  
Arthur, New Mexico. )  
)  
)  
)  
)  
)  
-----

PERMIT NO. C-26935

-----  
December 5, 1952  
-----

S T A T E M E N T

By the Commission:

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

-----John G. Kintz-----

requesting that Permit No. C-26935 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:

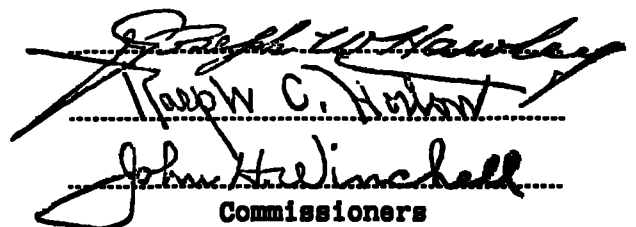
That Permit No. C-26935, heretofore issued to-----

-----John G. Kintz-----

be,

and the same is hereby, declared cancelled effective November 20, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,

this 5th day of December, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
COURTNEY E. KEITH, 2260 NORTH )  
AVENUE, GRAND JUNCTION, )  
COLORADO. )

PERMIT NO. C-24881

December 5, 1952

S T A T E M E N T

By the Commission:

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

Courtney E. Keith

requesting that Permit No. C-24881 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-24881, heretofore issued to.....

Courtney E. Keith be,

and the same is hereby, declared cancelled effective November 20, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Robert C. Hawley*  
*Robert C. Hawley*  
*John F. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 5th day of December, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
FRANKJ. & HENRIETTA MILLER, 460 )  
N. 17th St., GRAND JUNCTION, )  
COLORADO. ) PERMIT NO. C-24528  
 )  
 )  
 )  
-----

-----  
December 5, 1952  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
-----Frank J. & Henrietta Miller-----  
requesting that Permit No. C-24528-----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-24528-----, heretofore issued to-----  
-----Frank J. & Henrietta Miller-----be,  
and the same is hereby, declared cancelled effective November 20, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

-----  
-----Ralph C. Hinton-----  
-----John H. Winchell-----  
Commissioners

Dated at Denver, Colorado,  
this 5th day of December, 1952.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
IDEAL FURNITURE MFG. CO., 6319 )  
SO. VERNON AVENUE, CHICAGO, )  
ILLINOIS. )  
)  
)  
)

PERMIT NO. C-24827

-----  
December 5, 1952  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
.....Ideal Furniture Mfg. Co.....  
requesting that Permit No. C-24827.....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-24827....., heretofore issued to.....  
.....Ideal Furniture Mfg. Co.....be,  
and the same is hereby, declared cancelled effective November 14, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Frank C. Hawley*  
*Harold C. Brown*  
*John H. Winchell*  
-----  
Commissioners

Dated at Denver, Colorado,  
this 5th day of December, 1952.

mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
C. L. SILVER, BOX 81, )  
UPTON, WYOMING. )  
 )  
 )  
 )

PERMIT NO. C-5823

December 5, 1952

S T A T E M E N T

By the Commission:

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

C. L. Silver

requesting that Permit No. C-5823 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-5823, heretofore issued to.....

C. L. Silver

be,

and the same is hereby, declared cancelled effective November 9, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*W. C. Hawke*  
*W. C. Norton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 5th day of December, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ERNEST & VIVIAN CLAUSEN, DOING )  
BUSINESS AS "CLAUSEN HOME & )  
AUTO SUPPLY," 453 MAIN STREET, ) PERMIT NO. C-21345  
DELTA, COLORADO. )  
)

December 5, 1952

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Ernest & Vivian Clausen, dba "Clausen Home & Auto Supply"  
requesting that Permit No. C-21345 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

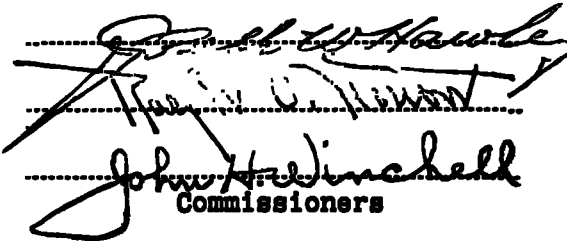
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-21345, heretofore issued to.....  
Ernest & Vivian Clausen, dba "Clausen Home & Auto Supply" be,  
and the same is hereby, declared cancelled effective October 27, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 5th day of December, 1952.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
REX FAULES, BOX 96, HAXTON, )  
COLORADO. )  
)  
)  
)

PERMIT NO. C-29662

December 5, 1952

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Rex Faules.....  
requesting that Permit No. C-29662.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

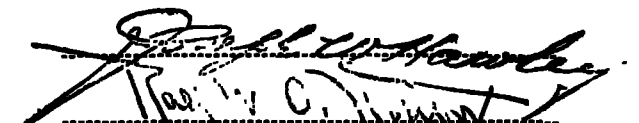
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-29662....., heretofore issued to.....  
Rex Faules.....be,  
and the same is hereby, declared cancelled effective October 27, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
John H. Winchell  
Commissioners

Dated at Denver, Colorado,  
this 5th day of December, 1952.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
GUY LUNDY, BOX 114, TRES )  
PIEDRAS, NEW MEXICO. )  
)  
)  
)  
)  
)

PERMIT NO. C-29427

December 5, 1952

S T A T E M E N T

By the Commission:

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

Guy Lundy

requesting that Permit No. C-29427 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-29427, heretofore issued to.....

Guy Lundy

be,

and the same is hereby, declared cancelled effective November 20, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Winchell*  
*John H. Winchell*  
*John H. Winchell*

Commissioners

Dated at Denver, Colorado,

this 5th day of December, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
NORMAN DYKES, SECOND & )  
WASHINGTON STS., ROCKY FORD, )  
COLORADO. )  
)  
)

PERMIT NO. C-29403

December 5, 1952

S T A T E M E N T

By the Commission:

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

Norman Dykes

requesting that Permit No. C-29403.....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-29403....., heretofore issued to.....

Norman Dykes.....be,

and the same is hereby, declared cancelled effective November 20, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Ralph W. Howley*  
*Ralph C. Horton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 5th day of December, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ELWOOD L. COLLINS, EGNAR, )  
COLORADO. )  
)  
)  
)

PERMIT NO. C-29595

December 5, 1952

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Elwood L. Collins  
requesting that Permit No. C-29595 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-29595, heretofore issued to  
Elwood L. Collins be,  
and the same is hereby, declared cancelled effective November 21, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Robert W. Hawley*  
*Ray C. Horton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,  
this 5th day of December, 1952.

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

◆ ◆ ◆ ◆

RE MOTOR VEHICLE OPERATIONS OF )  
SLATE RIVER MINING CO., )  
CRESTED BUTTE, COLORADO. )

**PERMIT NO. C-29275**

**December 5, 1952**

## STATEMENT

**By the Commission:**

**The Commission is in receipt of a communication from\_\_\_\_\_**

Slate River Mining Co.

requesting that Permit No. C-29275 be cancelled.

## FINDINGS

**THE COMMISSION FINDS:**

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:**

That Permit No. C-29275....., heretofore issued to.....

**Slate River Mining Co.**.....be.

and the same is hereby, declared cancelled effective October 16, 1952.

**THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

~~Joseph W. Hawley~~  
~~George W. C. Horton~~  
~~John L. Winchell~~  
Commissioners

**Dated at Denver, Colorado,**

this 5th day of December, 195 2.

mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
L. E. ROBINSON, STAR ROUTE, )  
CENTER, COLORADO. )  
)  
)  
)

PERMIT NO. C-28477

December 5, 1952

S T A T E M E N T

By the Commission:

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

L. E. Robinson

requesting that Permit No. C-28477.....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-28477....., heretofore issued to.....

L. E. Robinson

be,

and the same is hereby, declared cancelled effective November 7, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Winchell*  
*Raymond C. Horton*  
Commissioners

Dated at Denver, Colorado,

this 5th day of December, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ROLAND L. SMITH, 647 W. 5th )  
ST., DELTA, COLORADO. )  
)  
)  
)

PERMIT NO. C-24499

December 5, 1952

S T A T E M E N T

By the Commission:

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

Roland L. Smith.....

requesting that Permit No. C-24499.....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-24499....., heretofore issued to.....

Roland L. Smith.....be,

and the same is hereby, declared cancelled effective November 20, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Frank W. Hawke*  
*Harvey C. Nelson*  
*John H. Winchell*

Commissioners

Dated at Denver, Colorado,

this 5th day of December, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ALBERT WATKINS, BOX 455, CANON )  
CITY, COLORADO. )

PERMIT NO. C-18947

December 5, 1952

S T A T E M E N T

By the Commission:

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

Albert Watkins

requesting that Permit No. C-18947.....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-18947....., heretofore issued to.....

Albert Watkins

and the same is hereby, declared cancelled effective November 4, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,

this 5th day of December, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF )  
ANDREW JOE GETZY, 4520 PEARL )  
STREET, DENVER 16, COLORADO. )  
 ) PERMIT NO. C-2799  
 )  
 )  
 )  
-----

-----  
December 5, 1952  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
-----Andrew Joe Getzy-----  
requesting that Permit No. ....C-2799.....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-2799....., heretofore issued to-----  
-----Andrew Joe Getzy-----be,  
and the same is hereby, declared cancelled effective November 6, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

-----  
-----  
-----  
Commissioners

Dated at Denver, Colorado,  
this.....5th.....day of.....December....., 1952.  
  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
FARM BUREAU CO-OP ASSOCIATION, )  
320 SO. CEDAR, LARAMIE, )  
WYOMING )  
 )  
 )

PERMIT NO. A-2321-I

December 5, 1952

S T A T E M E N T

By the Commission:

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

Farm Bureau Co-op Association.....

requesting that Permit No. A-2321-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

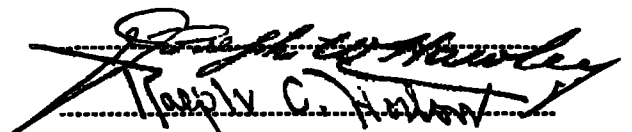
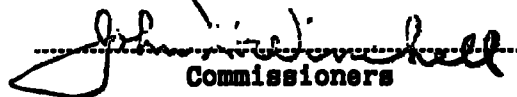
THE COMMISSION ORDERS:

That Permit No. A-2321-I, heretofore issued to.....

Farm Bureau Co-op Association.....be,

and the same is hereby, declared cancelled effective October 1, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Ralph C. Norton  
  
Commissioners

Dated at Denver, Colorado,

this 5th day of December, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ORVILLE H. WHITE, 2212 WEST )  
BIJOU, COLORADO SPRINGS, )  
COLORADO. ) PERMIT NO. B-4482  
)  
)

December 5, 1952

S T A T E M E N T

By the Commission:

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

Orville H. White

requesting that Permit No. B-4482 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-4482, heretofore issued to.....

Orville H. White be,

and the same is hereby, declared cancelled effective November 7, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph C. Hinton*  
*Commissioners*

Dated at Denver, Colorado,

this 5th day of December, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
CECIL TOMBLESON, LAMAR, )  
COLORADO )  
 ) PERMIT NO. B-2792  
 )  
 )  
 )  
-----

-----  
December 5, 1952

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Cecil Tombleson-----  
requesting that Permit No. B-2792-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

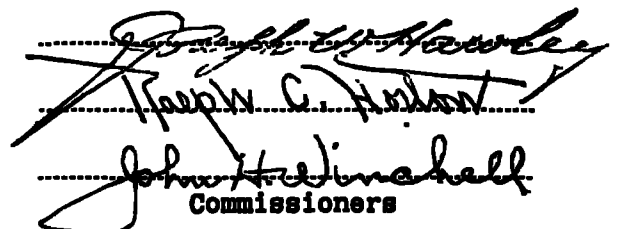
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-2792-----, heretofore issued to-----  
Cecil Tombleson-----be,  
and the same is hereby, declared cancelled effective September 12, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 5th day of December, 1952.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
C. E. LONG, 1033 WEST BISHOP, )  
SANTA ANNA, CALIFORNIA. )  
)  
)  
)

PERMIT NO. B-4319

December 5, 1952

S T A T E M E N T

By the Commission:

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

C. E. Long.....

requesting that Permit No. B-4319.....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-4319....., heretofore issued to.....

C.E. Long.....be,

and the same is hereby, declared cancelled effective November 19, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Joseph W. C. Horton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 5th day of December, 1952.

mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
G. W. CONNIFF, 66 LOGAN ST., )  
DENVER 9, COLORADO. )  
 )  
 )  
 )

PERMIT NO. B-3564

December 5, 1952

S T A T E M E N T

By the Commission:

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

G. W. Conniff

requesting that Permit No. B-3564 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:

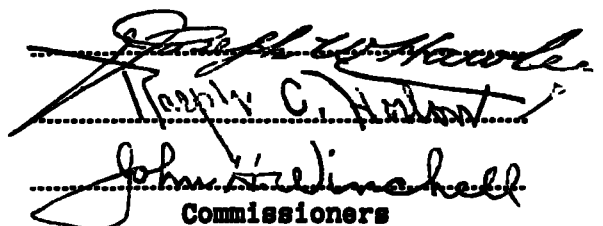
That Permit No. B-3564, heretofore issued to.....

G. W. Conniff

be,

and the same is hereby, declared cancelled effective November 20, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,

this 5th day of December, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
GEORGE W. HAWTHORNE, DOING )  
BUSINESS AS "HAWTHORNE TRUCK )  
LINE," 848 WHITE AVENUE, GRAND )  
JUNCTION, COLORADO. )  
-----

PUC NO. 2095-I

-----  
December 5, 1952  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from George W. Hawthorne, doing business as "Hawthorne Truck Line," Grand Junction, Colorado, requesting that Certificate of Public Convenience and Necessity No. 2095-I be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

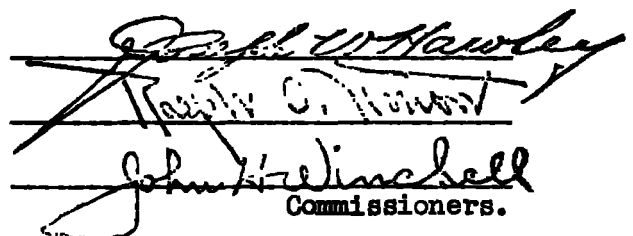
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Certificate No. 2095-I, heretofore issued to George W. Hawthorne, doing business as "Hawthorne Truck Line," Grand Junction, Colorado, be, and the same is hereby, declared cancelled effective October 23, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 5th day of December, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
HARRY PREISENDORF, DOING BUSI- )  
NESS AS "PREISENDORF OIL CO.," ) PUC NO. 2408-I  
GRAND ISLAND, NEBRASKA. )  
-----

-----  
December 5, 1952  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Harry Preisendorf, doing business as "Preisendorf Oil Co.," Grand Island, Nebraska, requesting that Certificate of Public Convenience and Necessity No. 2408-I be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

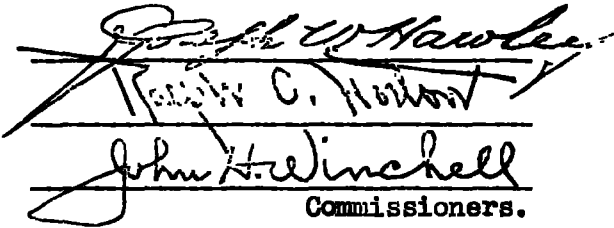
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Certificate No. 2408-I, heretofore issued to Harry Preisendorf, doing business as "Preisendorf Oil Co.," Grand Island, Nebraska, be, and the same is hereby, declared cancelled effective November 2, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 5th day of December, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
DAVID, DONALD & ODIE OSCAR )  
BOWER, DOING BUSINESS AS "BOWER )  
BROS.," FT. GARLAND, COLORADO. )  
-----

APPLICATION NO. 11949-PP

-----  
December 5, 1952  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from David, Donald & Odie Oscar Bower, doing business as "Bower Bros.," Ft. Garland, Colorado, requesting that his Class "B" permit, granted in Application No. 11949-PP, Decision No. 39340, under date of September 19, 1952, be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

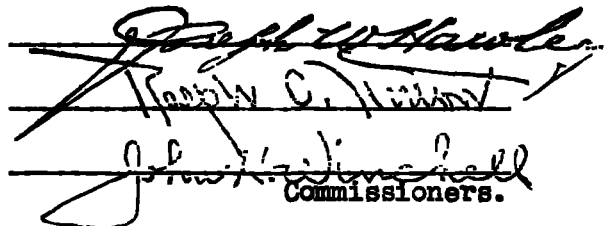
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Class "B" permit, granted David, Donald & Odie Oscar Bower, doing business as "Bower Bros.," Ft. Garland, Colorado, in the above numbered application, Decision No. 39340, under date of September 19, 1952, be, and the same hereby is, declared cancelled, effective November 7, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 5th day of December, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
RALPH E. GANO, 1545 N. WASHINGTON )  
AVENUE, LOVELAND, COLORADO, FOR AN ) APPLICATION NO. 12092-Extension  
EXTENSION OF CERTIFICATE OF PUBLIC )  
CONVENIENCE AND NECESSITY NUMBER )  
PUC-2367. )  
-----

-----  
November 28, 1952  
-----

Appearances: John A. Cross, Esq., Loveland,  
Colorado, for applicant.

S T A T E M E N T

By the Commission:

By Decision No. 37805, November 28, 1951, Ralph E. Gano, 1545 N. Washington Avenue, Loveland, Colorado, was granted Certificate of Public Convenience and Necessity Number PUC-2367, which authorizes the transportation, not on schedule, of:

trash and rubbish, from points within the City  
of Loveland to the Loveland City Dump, and  
intermediate points.

By the instant application, applicant seeks an extension of the authority under his certificate to include the transportation of express parcels between points within the city limits of Loveland, Colorado, and intermediate points.

After due notice to all parties in interest, said application was set for hearing and heard at the Larimer County Court House, Fort Collins, Colorado, November 20, 1952, at ten o'clock A. M., and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, applicant testified that he has been engaged in hauling trash, ashes and rubbish from Loveland, Colorado, to the city dump; that he owns a one-half ton 1936 Dodge with steel body for hauling trash; that he owns a 1938 1-ton Ford pickup which he proposes to use in the ex-

tended operation; that his net worth is approximately \$5,000.00; that he has been requested by the Railway Express Agency to transport express parcels from the C. & S. depot to points which necessitate an extension in his authority; that no city authority is required; that no other service is available to the Express Agency; that the rate for pickup and delivery for express is fixed by the Express Agency and is 5% of the gross value of express parcels picked up or delivered; that no definite time schedule is proposed and pickup and delivery of express parcels will be made on call daily, except on Sundays and Holidays.

Clarence W. Hagedorn testified in behalf of the granting of the application that he is the cashier for the C. & S. Railway at Loveland, Colorado; that the Express Agency at Loveland has no other service than that offered by Mr. Gano; that R. D. Finley undertook hauling of express in July 1952, but discontinued on August 15, 1952, when the contract of \$25.00 a month for hauling express from the C. & S. depot to the Great Western depot was discontinued; that the service rendered by Gano has been satisfactory; that in September 1952 there were 561 shipments received, of which 247 were delivered by Gano; that in October 1952, 496 shipments were received, of which 302 were delivered by Gano.

No one appeared to protest the granting of the extension of authority applied for.

From the evidence, it appears to the Commission that public convenience and necessity require the extended operation of applicant.

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

##### THE COMMISSION FINDS:

That the extension applied for should be granted, 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 extended opera-

tion of Ralph E. Gano, 1545 N. Washington Avenue, Loveland, Colorado, under PUC No. 2367, to include the transportation of express parcels, not on schedule, between points within the city limits of Loveland, Colorado.

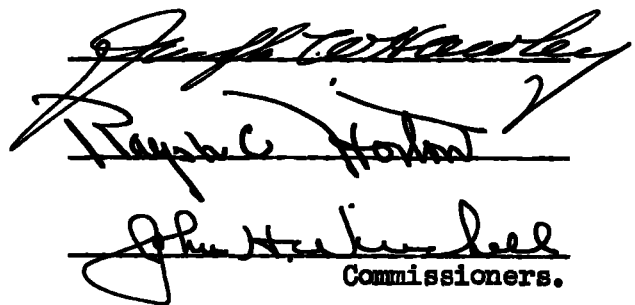
That applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 28th day of November, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ROY WITT, 1522 WEST ALASKA, )  
DENVER 19, COLORADO. )  
-----

PERMIT NO. B-4357

-----  
December 5, 1952  
-----

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-4357 be suspended for six months from November 2, 1952.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

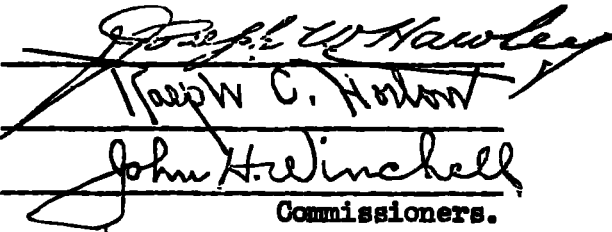
O R D E R

THE COMMISSION ORDERS:

That Roy Witt, Denver, Colorado, be, and he is hereby, authorized to suspend his operations under Permit No. B-4357 until May 2, 1953.

That unless said Roy Witt, Denver, Colorado, 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

  
Commissioners.

Dated at Denver, Colorado,  
this 5th day of December, 1952.  
mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
J. B. MARTIN, ROUTE 1, BOX )  
152-A, DERBY, COLORADO. )  
)  
)  
)

PERMIT NO. C-26902

December 5, 1952

S T A T E M E N T

By the Commission:

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

J. B. Martin

requesting that Permit No. C-26902 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-26902, heretofore issued to.....

J. B. Martin

be,

and the same is hereby, declared cancelled effective November 25, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Frank W. Hawley*  
*Harold W. C. Nelson*  
*John H. Hunschell*

Commissioners

Dated at Denver, Colorado,

this 5th day of December, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
MARSHALL EDDINGS, MACK, )  
COLORADO. )

PERMIT NO. C-17949

December 5, 1952

S T A T E M E N T

By the Commission:

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

Marshall Eddings

requesting that Permit No. C-17949 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:

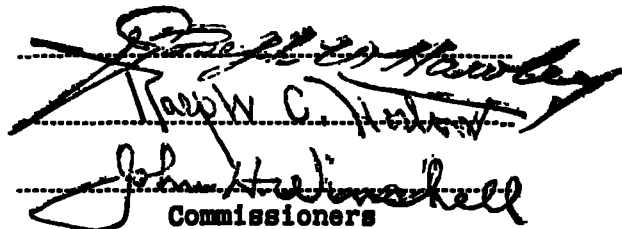
That Permit No. C-17949, heretofore issued to.....

Marshall Eddings

be,

and the same is hereby, declared cancelled effective November 1, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,

this 5th day of December, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
EDWARD GLENN STILL, PEETZ, )  
COLORADO. )

PERMIT NO. C-24493

December 5, 1952

S T A T E M E N T

By the Commission:

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

Edward Glenn Still

requesting that Permit No. C-24493 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-24493, heretofore issued to.....

Edward Glenn Still be,

and the same is hereby, declared cancelled effective November 6, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Robert W. Hawley*  
*Harvey C. Wilson*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 5th day of December, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
BERTHA CHRISTENSON, 811-23rd )  
ST., DENVER 5, COLORADO. )  
 )  
 )  
 )

PERMIT NO. C-14957

December 5, 1952

S T A T E M E N T

By the Commission:

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

Bertha Christenson

requesting that Permit No. C-14957 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

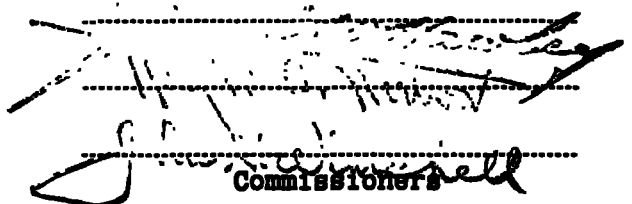
THE COMMISSION ORDERS:

That Permit No. C-14957, heretofore issued to.....

Bertha Christenson be,

and the same is hereby, declared cancelled effective November 24, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,

this 5th day of December, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE DISCONTINUANCE OF MOTOR SERVICE )  
BETWEEN MALTA, COLORADO, AND LEAD- )  
VILLE, COLORADO. )  
-----

INVESTIGATION AND SUSPENSION  
DOCKET NO. 343

-----  
November 28, 1952  
-----

S T A T E M E N T

By the Commission:

There has been filed with this Commission by The Denver and Rio Grande Western Railroad Company, by H. F. Eno, Passenger Traffic Manager, and by E. B. Padrick, Agent, tariffs containing schedules stating new individual provisions to become effective December 1, 1952, and December 8, 1952, designated as follows:

The Denver and Rio Grande Western Railroad Company

Supplement No. 1 to Interdivision and Joint (Rail-Motor) Passenger Tariff No. 498-C, Colo. P.U.C. No. 2093

Rail-Motor Routing and Honoring Tariff No. 160-3, Colo. P.U.C. No. 604, 2nd revised page 37.

The said tariffs cancel all fares to and from Leadville, Colorado, and cancel the motor service arrangements from and to Leadville, Colorado, to and from Malta, Colorado, whereby the rights and interests of the public may be injuriously affected; and it being the opinion of the Commission that the effective dates of said tariffs should be postponed, pending a hearing and decision thereof.

O R D E R

THE COMMISSION ORDERS: That:

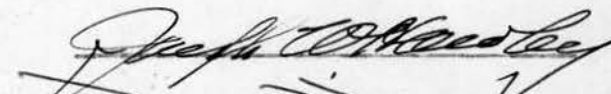
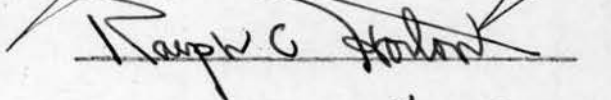
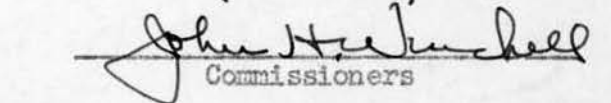
1. Upon complaint, without formal pleading, it enter upon a hearing concerning the lawfulness of the cancellations stated in said tariffs.

2. The operation of the said tariffs be suspended, and the use of the provisions therein stated be deferred until the 30th day of March, 1953, unless otherwise ordered by the Commission, and no change shall be made in such fares and arrangements during the said period of suspension.

3. A copy of this Order be filed with said tariffs in the office of the Commission, and copies hereof be forthwith served upon H. F. Eno, Passenger Traffic Manager, The Denver and Rio Grande Western Railroad Company, P. O. Box 2040, Denver 1, Colorado, E. B. Padrick, Agent, Room 436, Union Station, 516 West Jackson Boulevard, Chicago 6, Illinois, and Frank E. Kendrick, Jr., Leadville, Colorado.

4. This proceeding be assigned for hearing at a future date to be determined by the Commission, due notice of such date and place of hearing being given all interested parties.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 28th day of November, 1952.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

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

APPLICATION NO. 12085-PP  
SUPPLEMENTAL ORDER

-----  
December 2, 1952  
-----

Appearances: Ernest Carton, Niwot, Colo-  
rado, pro se;  
Marion F. Jones, Esq., Denver,  
Colorado, for Sorenson Truck  
Service.

S T A T E M E N T

By the Commission:

On November 21, 1952, Decision No. 39716 was issued by the Commission in Application No. 12085-PP, granting to Ernest Carton, Niwot, Colorado, authority to operate as a Class "B" private carrier by motor vehicle for hire.

On November 25, 1952, "Petition for Rehearing and Supporting Brief" was filed by protestant, Sorenson Truck Service, by Marion F. Jones, Attorney.

The Commission has read and considered each and every alleged assignment of error, and is of the opinion that no error was committed in granting said application.

F I N D I N G S

THE COMMISSION FINDS:

That no error was committed in the entry of Decision No. 39716; that no useful purpose would be served by granting rehearing herein, and that said application for rehearing should be denied.

O R D E R

THE COMMISSION ORDERS:

That application for rehearing in the above-styled matter, filed

by Marion F. Jones, Esq., in behalf of Sorenson Truck Service, on November 25, 1952, should be, and the same is hereby, denied.

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

**THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

Joseph C. Bradley  
Raymond C. Bradley  
John H. Bradley  
Commissioners.

Dated at Denver, Colorado,  
this 2nd day of December, 1952.

mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF )  
P. T. PINELL, 332 EAST ST. )  
VRAIN, COLORADO SPRINGS, )  
COLORADO. ) PERMIT NO. C-11697  
 )  
 )  
 )  
-----

-----  
December 8, 1952  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
----- P. T. Pinell -----  
requesting that Permit No. C-11697 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-11697, heretofore issued to-----  
----- P. T. Pinell ----- be,  
and the same is hereby, declared cancelled effective October 31, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Charles C. Norton*  
*John H. Winchell*  
-----  
Commissioners

Dated at Denver, Colorado,  
this 8th day of December, 1952.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
GEO. BALATY, 2439 NO. BOSTON, )  
TULSA, OKLAHOMA. )

PERMIT NO. C-28180

December 8, 1952

S T A T E M E N T

By the Commission:

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

Geo. Balaty

requesting that Permit No. C-28180.....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-28180....., heretofore issued to.....

Geo. Balaty.....be,

and the same is hereby, declared cancelled effective November 28, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph C. Hawley*  
*Robert C. Wilson*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 8th day of December, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
BENJAMIN G. GONZALES, 3123 )  
WILLIAMS ST., DENVER 5, COLORADO.)

PERMIT NO. C-27424

December 8, 1952

S T A T E M E N T

By the Commission:

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

Benjamin G. Gonzales

requesting that Permit No. C-27424 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-27424, heretofore issued to.....

Benjamin G. Gonzales be,

and the same is hereby, declared cancelled effective November 28, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Ralph C. Horton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 8th day of December, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ROBERT JOSEPH VELTRI, BOX 606, )  
SALIDA, COLORADO. )  
 )  
 )  
 )

PERMIT NO. C-21480

December 8, 1952

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
.....Robert Joseph Veltri.....  
requesting that Permit No. ....C-21480.....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-21480....., heretofore issued to.....  
.....Robert Joseph Veltri.....be,  
and the same is hereby, declared cancelled effective November 27, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Joseph C. Horton*  
*John H. Linchell*  
Commissioners

Dated at Denver, Colorado,  
this 8th day of December, 1952.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF )  
W. T. HARDY, 4311 SHIRLEY AVE., )  
LYNWOOD, CALIFORNIA. )  
 )  
 )  
 )  
 )  
-----

PERMIT NO. C-1140

-----  
December 8, 1952  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
----- W. T. Hardy -----  
requesting that Permit No. C-1140 ----- 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-1140 -----, heretofore issued to-----  
----- W. T. Hardy ----- be,  
and the same is hereby, declared cancelled effective November 26, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Robert W. C. Tilton*  
*John H. Winchell*  
-----  
Commissioners

Dated at Denver, Colorado,  
this 8th day of December, 1952.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
GUY ATWOOD, 215 SOUTH COLORADO, )  
BRUSH, COLORADO. )  
 )  
 )  
 )  
 )

PERMIT NO. C-15938

December 8, 1952

S T A T E M E N T

By the Commission:

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

Guy Atwood

requesting that Permit No. C-15938.....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-15938....., heretofore issued to.....

Guy Atwood.....be,

and the same is hereby, declared cancelled effective November 28, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Newley*  
*Joseph W. C. Norton*  
*John H. Winchell*

Commissioners

Dated at Denver, Colorado,

this 8th day of December, 1952.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ELMER & GEORGE FISCHER, DOING )  
BUSINESS AS "ERNEST FISCHER & )  
SONS," P. O. BOX 731, FT. ) PERMIT NO. C-24231  
COLLINS, COLORADO. )  
 )

-----

-----  
December 8, 1952  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Elmer & George Fischer, dba "Ernest Fischer & Sons".....  
requesting that Permit No. C-24231.....be cancelled.

F I N D I N G S

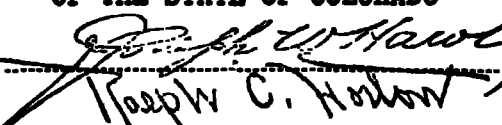
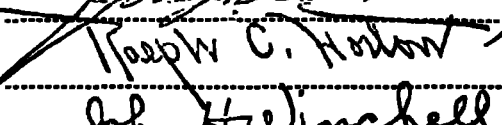
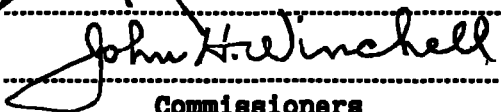
THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-24231....., heretofore issued to.....  
Elmer & George Fischer, dba "Ernest Fischer & Sons".....be,  
and the same is hereby, declared cancelled effective November 28, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
  
  
  
Commissioners

Dated at Denver, Colorado,  
this 8th day of December, 1952.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
SETH & MYRLE JOHANSEN, DOING )  
BUSINESS AS "YANKTON PRODUCE )  
CO.," BOX 74, YANKTON, SOUTH )  
DAKOTA. )  
----- )

PERMIT NO. C-26646

-----  
December 8, 1952  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
-----Seth & Myrle Johansen, dba "Yankton Produce Co."-----  
requesting that Permit No. ....C-26646.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

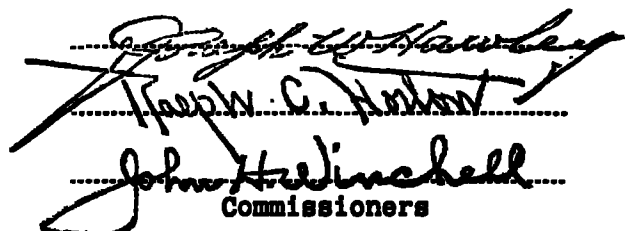
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. ....C-26646....., heretofore issued to-----  
-----Seth & Myrle Johansen, dba "Yankton Produce Co."-----be,  
and the same is hereby, declared cancelled effective November 28, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 8th day of December, 1952.

mls

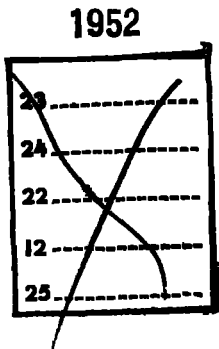


BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF )  
CHAS. W. SAUNDERS, 1201 SO. )  
MARIPOSA ST., DENVER 19, )  
COLORADO. )  
----- )

PERMIT NO. C-28993



-----  
December 8, 1952  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Chas. W. Saunders-----  
requesting that Permit No. C-28993 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-28993, heretofore issued to-----  
Chas. W. Saunders-----be,  
and the same is hereby, declared cancelled effective November 28, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Robert W. C. Horton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,  
this 8th day of December, 1952.  
mls

original

(Decision No. 39801)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
V. G. GARNETT AND E. V. GARNETT, )  
DOING BUSINESS AS "THE COLORADO )  
RAPID TRANSIT COMPANY," 3963 WALNUT )  
STREET, DENVER, COLORADO, TO TRANSFER )  
A PORTION OF CERTIFICATE NO. PUC-26 )  
TO THOMAS D. LANE, DOING BUSINESS AS )  
"THOMAS D. LANE TRUCK LINES," BOX )  
5472 TERMINAL ANNEX, DENVER, COLORADO. )  
----- )

APPLICATION NO. 12111-Transfer

-----  
December 2, 1952  
-----

Appearances: Marion F. Jones, Esq.,  
Denver, Colorado, for  
Transferors and Transferee;  
H. D. Hicks, Denver, Colo-  
rado, for Weicker Transfer  
and Storage Company.

S T A T E M E N T

By the Commission:

V. G. Garnett and E. V. Garnett, doing business as "The Colorado Rapid Transit Company," of 3963 Walnut Street, Denver, Colorado, are the owners of PUC-26, which, along with other authority, authorizes the transportation of freight, express and farm products between Denver and Arvada, Colorado, including a radius of five miles of Arvada and a radius of five miles on either side of Colorado Highway No. 72 between Denver and Arvada, and as extended in Decision No. 38194, also including authority between Denver and the Rocky Flats Plant of the United States Atomic Energy Commission, located in Sections 2, 3, 10, 11, 14 and 15, Township 2-South, Range 70-West, of the 6th P. M.

Applicants now seek authority to transfer the above portion of PUC-26 to Thomas D. Lane, doing business as "Thomas D. Lane Truck Lines," Box 5472, Terminal Annex, Denver, Colorado.

At the hearing held at 330 State Office Building, Denver, Colorado, on Friday, November 28, 1952, it appeared that the consideration for

the above-described authority -- including such authority as vendors have from the Interstate Commerce Commission in the same territory -- is the sum of \$2,500.00, of which \$100.00 has been paid; \$400.00 to be payable upon the approval of this transfer by this Commission; and the balance to be payable in fifty equal installments of \$40.00 each, represented by a note dated the same day as our Order approving this transaction, and the first of said payments to be due thirty days thereafter.

It also appeared that there are no outstanding unpaid obligations against said operation; that transferors have operated the authority continuously and that the ton-mile tax deposit is to remain to the credit of PUC-26. The operating experience and pecuniary responsibility of transferee were established to the satisfaction of the Commission.

The matter was taken under advisement.

#### 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 V. G. Garnett and E. V. Gernett, doing business as "The Colorado Rapid Transit Company," 3962 Walnut Street, Denver, Colorado, be, and they hereby are, authorized to transfer all their right, title and interest in and to that portion of Certificate No. 26 which authorizes the transportation of freight, express and farm products between Denver and Arvada, Colorado, including a radius of five miles of Arvada, and a radius of five miles on either side of Colorado Highway No. 72 between Denver and Arvada, and as extended by Decision No. 38194, also including authority between Denver and the Rocky Flats Plant of the United States Atomic Energy Commission, located in Sections 2, 3, 10, 11, 14 and 15, Township 2-South, Range 70-West, of the 6th P. M., to Thomas D. Lane, doing business as "Thomas D. Lane Truck Lines," Box 5472 Terminal Annex, Denver, Colorado.

That the ton-mile tax deposit of transferors shall remain to the credit of PUC No. 26.

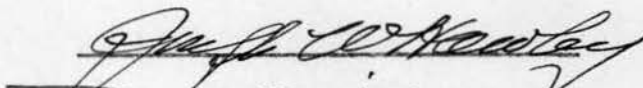
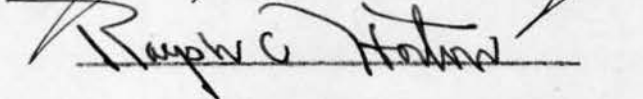
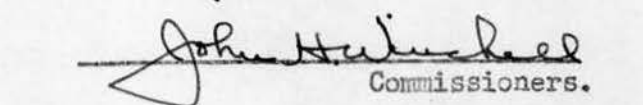
That said transfer shall become effective only if and when, but not before, said transferors and transferee, in writing, have advised the Commission that said certificate has been formally assigned and that said parties have accepted and in the future will comply with the conditions and requirements of this order to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this order within thirty (30) days from the effective date of the order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission.

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.

The right of transferee to operate under this order shall depend upon the prior filing by transferors of delinquent reports, if any, covering their operations under said certificate up to the time of the transfer of said certificate, and the payment by them or transferee of all unpaid ton-mile tax.

This order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 2nd day of December, 1952.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
ROY W. LEGGETT AND ROBERT A. )  
LEGGETT, CO-PARTNERS, DOING BUSI- )  
NESS AS "LAWTON STORAGE AND TRANS- )  
FER COMPANY," 318 F. AVENUE, LAWTON, )  
OKLAHOMA, FOR AUTHORITY TO TRANSFER )  
INTERSTATE OPERATING RIGHTS TO )  
GLENN A. ROE, DOING BUSINESS AS )  
"LAWTON STORAGE AND TRANSFER," 318 )  
F. AVENUE, LAWTON, OKLAHOMA. )

PUC NO. 1086-I-Transfer

-----  
December 2, 1952  
-----

S T A T E M E N T

By the Commission:

Heretofore, Roy W. Leggett and Robert A. Leggett, co-partners, doing business as "Lawton Storage and Transfer Company," Lawton, Oklahoma, were authorized, subject to the provisions of the Federal Motor Carrier Act of 1935, to operate as common carriers by motor vehicle in interstate commerce, and PUC No. 1086-I issued to them.

Said certificate-holders now seek authority to transfer said operating rights to Glenn A. Roe, doing business as "Lawton Storage and Transfer," Lawton, Oklahoma.

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:

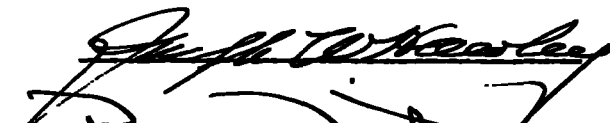
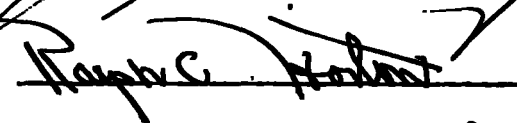
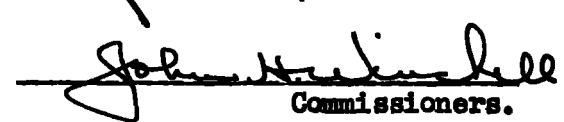
That Roy W. Leggett and Robert A. Leggett, co-partners, doing business as "Lawton Storage and Transfer Company," Lawton, Oklahoma, should be, and they are hereby, authorized to transfer all their right,

title, and interest in and to PUC No. 1086-I to Glenn A. Roe, doing business as "Lawton Storage and Transfer," Lawton, Oklahoma, subject to the provisions of the Federal Motor Carrier Act of 1935, and subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That ton-mile tax deposit of transferors shall be transferred and credited to account of transferee herein.

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 2nd day of December, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
E. C. MC PHERRON, 907 SIDNEY AVENUE, )  
STERLING, COLORADO, FOR AUTHORITY ) APPLICATION NO. 12131-PP-Transfer  
TO TRANSFER PERMIT NO. B-610 TO )  
C. A. POPE, MERINO, COLORADO. )  
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-----  
December 2, 1952  
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S T A T E M E N T

By the Commission:

On September 24, 1942, by Decision No. 19731, operating rights of E. C. McPherron, owner and operator of Permit No. B-610, were limited, at his request, to conform to actual operations performed thereunder, viz.:

transportation of all commodities originating at any point within the Counties of Logan, Washington, Sedgwick, Phillips, Yuma, and Morgan, to any other point within said counties; all commodities originating at or destined to any point within the Counties of Logan, Washington, Sedgwick, Phillips, Yuma, and Morgan, from and to any point within the State of Colorado; sawdust, grain and emigrant moveables, including used farm machinery, from any point in the State of Colorado to any other point in the State of Colorado.

By the instant application, said permit-holder seeks authority to transfer said Permit No. B-610 to C. A. Pope, Merino, 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 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 application for formal hearing, there being no one, insofar as the records 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 indebtedness, if any.

## O R D E R

### THE COMMISSION ORDERS:

That E. C. McPherron, Sterling, Colorado, should be, and he is hereby, authorized to transfer all his right, title, and interest in and to Permit No. B-610 — with operating rights as set forth in Decision No. 19731 — to C. A. Pope, Merino, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said permit has been formally assigned and that said parties have accepted and in the future will comply with the conditions and requirements of this order to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this order within thirty (30) days from the effective date of the order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission.

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, and the prior filing by transferor of delinquent reports, if any, covering his operations under said permit up to the time of transfer of said permit, and the payment by him or transferee of all unpaid ton-mile tax.

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

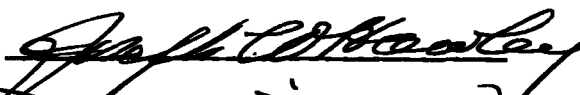
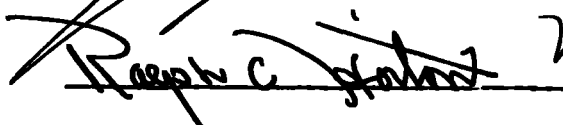
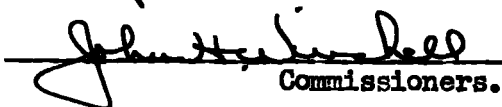
That ton-mile tax deposit of transferor shall be transferred and



credited to account of transferee herein.

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 2nd day of December, 1952.

mls

original

(Decision No. 39804)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
WAYNE S. REES, DOING BUSINESS AS )  
"ASPEN TRUCK LINE," ASPEN, COLORADO, )  
FOR AUTHORITY TO TRANSFER PUC NO. )  
1856 TO RALPH A. EARNEST, DOING )  
BUSINESS AS "ASPEN TRUCK LINE," BOX )  
84, GLENWOOD SPRINGS, COLORADO. )  
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APPLICATION NO. 12132-Transfer

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December 2, 1952  
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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:

On April 2, 1940, Leamon Resler, doing business as "Resler Truck Line," pursuant to authority contained in Decision No. 15173, acquired PUC No. 1089, authorizing transportation by motor vehicle, on schedule, of:

freight from and to Glenwood Springs, to and  
from Aspen, Colorado, and intermediate points,  
including the off-route point of Carbondale.

Pursuant to authority contained in Decision No. 29696, of date January 8, 1948, Leamon Resler transferred said operating rights to Wayne S. Rees, doing business as "Aspen Truck Line," Aspen, Colorado, who, by the instant application, seeks authority to transfer said operating rights (PUC No. 1856) to Ralph A. Earnest, doing business as "Aspen Truck Line," Glenwood Springs, 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 qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said application 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 Wayne S. Rees, doing business as "Aspen Truck Line," Aspen, Colorado, should be, and he is hereby, authorized to transfer all his right, title, and interest in and to PUC No. 1856 -- being the operating rights acquired by him pursuant to authority contained in Decision No. 29696 -- to Ralph A. Earnest, doing business as "Aspen Truck Line," Glenwood Springs, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said certificate has been formally assigned and that said parties have accepted and in the future will comply with the conditions and requirements of this order to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this order within thirty (30) days from the effective date of the order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission.

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.

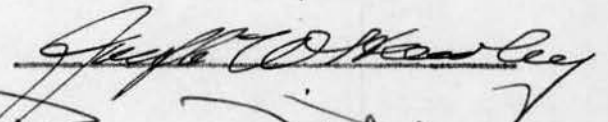
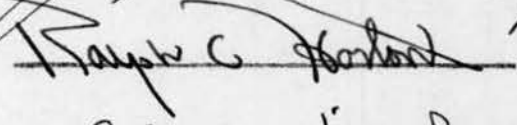
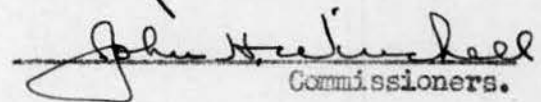
The right of transferee to operate under this order shall depend

upon the prior filing by transferor of delinquent reports, if any, covering his operations under said certificate, and the payment by him or transferee of all unpaid ton-mile tax.

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

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 2nd day of December, 1952.

mls

original

(Decision No. 39805)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF )  
WILLIAM E. FAEST AND DARRELL W. )  
BLAIR, OF MONTROSE, COLORADO, TO ) APPLICATION NO. 12138-Lease  
LEASE TO A. C. THOMAS, OF TELLURIDE, )  
COLORADO, A PORTION OF PUC NO. 1648. )  
-----)

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December 2, 1952  
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Appearances: T. L. Brooks, Esq., Montrose,  
Colorado, for Lessor and  
Lessee.

STATEMENT

By the Commission:

Darrell W. Blair, of Montrose, Colorado, is the present owner  
of PUC-1648, which was transferred to him by Decision No. 39730, dated  
November 25, 1952, which authorizes:

Transportation of passengers in cabs of not to  
exceed five (5) passenger capacity, between points  
in the area within a radius of twelve (12) miles of  
and including the City of Montrose, and the trans-  
portation of passengers in cabs of not to exceed  
five (5) passenger capacity each, between the City  
of Montrose, and all points in the Counties of  
Montrose, San Miguel, San Juan, Ouray, Hinsdale,  
and Gunnison, said passenger haul originating or  
terminating with the City of Montrose; and the  
transportation of passengers from Montrose to Delta,  
only with the right to carry the same passengers  
from Delta back to Montrose in round trip service only.

Transportation of passengers on call and demand from  
points within a radius of twelve (12) miles of Montrose,  
Colorado, including the City of Montrose, to Grand  
Junction Airport and Grand Junction, only, with further  
restriction that service to and from Grand Junction and  
to Grand Junction Airport is limited to one way service  
to Grand Junction and the Grand Junction Airport from  
the Montrose Area to Grand Junction and the Grand  
Junction Airport and return with the same passengers  
or passenger, in the same vehicle with waiting time in  
Grand Junction not to exceed one (1) hour.

Transportation of passengers and baggage as common  
carrier by motor vehicle between points in the area  
within a radius of twelve (12) miles of, and including,  
the City of Montrose on the one hand, and on the other,  
points and places in that part of the State of Colorado  
within a radius of sixty (60) miles of Montrose; trans-  
portation of passengers and baggage on sightseeing ser-  
vice on conducted all expense tours within the City of



Ouray on the one hand, and on the other, points and places in that part of the State of Colorado lying west of the Continental Divide.

On October 20, 1952, William E. Faast, the previous owner, and Darrell W. Blair, both of Montrose, Colorado, filed their application to lease to A. C. Thomas, of Telluride, Colorado, a portion of said certificate of public convenience and necessity, PUC-1648, which authorizes:

"Transportation of passengers and their baggage in the Town of Telluride and the transportation of passengers and their baggage from the Town of Telluride on the one hand, to and from all points in the Counties of Montrose, San Miguel, San Juan, Ouray, Hinsdale, and Gunnison, on the other hand, all in the State of Colorado,"

in accordance with an Agreement of Lease attached to the application filed herein.

Inasmuch as the files of the Commission and the application herein show that said certificate is in good standing and presently is held by Darrell W. Blair, of Montrose, Colorado, and that there are no outstanding unpaid operating obligations against said certificate; that lessee, 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 leasing 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 leasing of that portion of PUC-1648, as set forth in the Lease Agreement attached to the application herein, which is made a part of these Findings by reference, from Darrell W. Blair, of Montrose, Colorado, to A. C. Thomas, of Telluride, Colorado, is in the public interest, and that application so to lease should be approved by this Commission.

#### ORDER

##### THE COMMISSION ORDERS:

That Darrell W. Blair, of Montrose, Colorado, should be, and he is

hereby, authorized to lease that portion of PUC-1648 set forth in our Statement herein, which, by reference, is made a part of this Order, to A. C. Thomas, of Telluride, Colorado, as per terms of Agreement of Lease attached to the instant application.

That said lease shall become effective only if and when, but not before, said lessor and lessee, in writing, have advised the Commission that said certificate has been formally assigned and that said parties have accepted and in the future will comply with the conditions and requirements of this order to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this order within thirty (30) days from the effective date of the order shall automatically revoke the authority herein granted to make the lease, without further order on the part of the Commission.

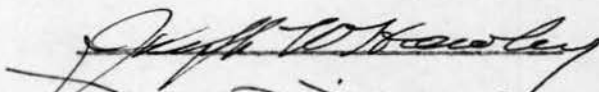
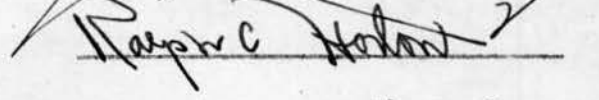
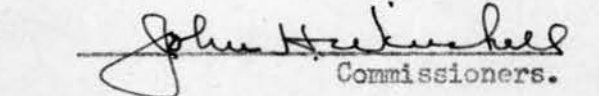
The tariff of rates, rules and regulations of lessor shall become and remain those of lessee until changed according to law and the rules and regulations of this Commission.

The right of lessee to operate under this order shall depend upon the prior filing by lessor of delinquent reports, if any, covering operations under said certificate up to the time of the lease of said certificate, and the payment by lessor or lessee of all unpaid passenger-mile tax.

That passenger-mile tax deposit of lessor shall be retained by lessor under operations under PUC-1648.

This order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 2nd day of December, 1952.

original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
FRANK WELCH, DOING BUSINESS AS )	
"DAD'S DISPOSAL SERVICE," 9905 WEST )	
21ST AVENUE, LAKEWOOD, COLORADO, FOR )	APPLICATION NO. 12133-Transfer
AUTHORITY TO TRANSFER PUC NO. 1968 )	
TO W. C. DAVIDSON, DOING BUSINESS )	
AS "DAD'S DISPOSAL SERVICE," ROUTE )	
1, BOX 238, ARVADA, COLORADO. )	
----- )	

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December 2, 1952  
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S T A T E M E N T

By the Commission:

By Decision No. 32187, of date February 18, 1949, Louis C. Berend, doing business as "Dad's Disposal Service," Lakewood, Colorado, was authorized to operate as a common carrier by motor vehicle, for the transportation of:

garbage and trash from points in the following-described territory:

extending from the line commonly designated as the center line of Kipling Street, which line is the most easterly boundary line of said area, to a line one mile east of the City of Golden, which said line is the most westerly boundary line of the area, and extending from a line three hundred feet north of and paralleling West Twenty-Sixth Avenue, which last said line is the most northerly boundary line of the area, to a line two thousand feet south of and paralleling West Alameda Avenue, which said line is the most southerly boundary line of the area, which area consists of approximately seventeen square miles, being approximately five and one-half miles between the east and west boundary lines, and three and one-half miles between the north and south boundary lines,

on the one hand, and dumps and disposal places located in Jefferson County, Colorado, on the other hand,

said operating rights being known as "PUC No. 1968."



Pursuant to authority contained in Decision No. 39180, of date August 12, 1952, said certificate-holder transferred said operating rights to Frank Welch, doing business as "Dad's Disposal Service," Lakewood, Colorado, who, by the instant application, seeks authority to transfer PUC No. 1968 to W. C. Davidson, doing business as "Dad's Disposal Service," Arvada, 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 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 Frank Welch, doing business as "Dad's Disposal Service," Lakewood, Colorado, should be, and he is hereby, authorized to transfer all his right, title, and interest in and to PUC No. 1968 -- being the operating rights granted by Decision No. 32187-- to W. C. Davidson, doing business as "Dad's Disposal Service," Arvada, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That said transfer shall become effectively only if and when, but not before, said transferor and transferee, in writing, have advised

the Commission that said certificate has been formally assigned and that said parties have accepted and in the future will comply with the conditions and requirements of this order to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this order within thirty (30) days from the effective date of the order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission.

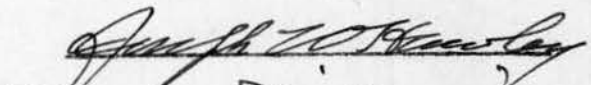
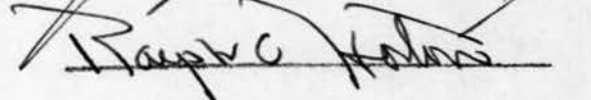
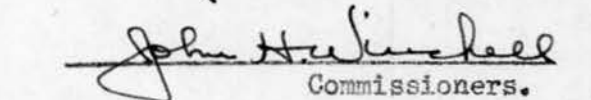
The tariff of rates, rules and regulations of transferor shall become and remain those of transferee until changed according to law and the rules and regulations of this Commission.

The right of transferee to operate under this order shall depend upon the prior filing by transferor of delinquent reports, if any, covering his operations under said certificate up to the time of the transfer of said certificate, and the payment by him or transferee of all unpaid ton-mile tax.

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

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 2nd day of December, 1952.

ea

original

(Decision No. 39807)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
CARL H. BEMENT, PAONIA, COLORADO,  
FOR AUTHORITY TO TRANSFER PUC-976  
AND PUC NO. 976-I TO JAMES CLAIRE  
LANE, DOING BUSINESS AS "CLAIRE  
LANE TRUCKING COMPANY," PAONIA,  
COLORADO.

APPLICATION NO. 12134-Transfer

December 2, 1952

STATEMENT

By the Commission:

By Decision No. 8490, of date October 5, 1936, Carl H. Bement, Paonia, Colorado, was granted a certificate of public convenience and necessity authorizing transportation of:

farm products including livestock, farm supplies and equipment including used household goods, contractors' and road builders' supplies, equipment and materials, coal and coal mining equipment and machinery, and timber, from, to and between points within the area extending 35 miles north, south and east and 20 miles west of Paonia, except that applicant shall not transport such commodities as are ordinarily handled by line haul common carriers between towns in competition with scheduled common carrier service, except the occasional transportation of fruit boxes, washing equipment and similar supplies for fruit packers from shed or packing plant to packing plant in said area, and his back haul of commodities from Denver and Pueblo to points in said area shall be limited to the transportation of farm machinery of the character not ordinarily handled by line haul or scheduled motor vehicle carriers, such as trashers, tractors, etc., from said points directly to farms and not to dealers in towns,

said operating rights being known as "PUC No. 976."

Subsequently, and on October 17, 1951, interstate operating rights were granted to Carl H. Bement, for the transportation of:



freight, in interstate commerce, only, between  
Paonia and points in Utah, Kansas and Nebraska,

said operating rights being known as "PUC No. 976-I."

By the instant application, Carl H. Bement seeks authority to transfer PUC No. 976 and PUC No. 976-I to James Claire Lane, doing business as "Claire Lane Trucking Company," Paonia, Colorado.

Inasmuch as the files of the Commission and the application herein show that said operating rights are in good standing; that road tax has been paid; that road 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 to carry on the operation, and it does not appear that any useful purpose would be served by setting said application 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 Carl H. Bement, Paonia, Colorado, should be, and he is hereby, authorized to transfer all his right, title, and interest in and to PUC No. 976 and PUC No. 976-I to James Claire Lane, doing business as "Claire Lane Trucking Company," Paonia, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said certificate has been formally assigned and that said parties have accepted and in the future will comply with the conditions and requirements of this order to be by them, or either of them, kept and

performed. Failure to file said written acceptance of the terms of this order within thirty (30) days from the effective date of the order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission.

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.

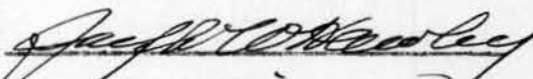
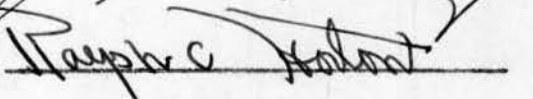
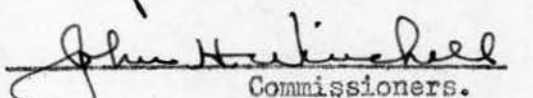
The right of transferee to operate under this order shall depend upon the prior filing by transferor of delinquent reports, if any, covering his operations under said certificate up to the time of the transfer of said certificate, and the payment by him or transferee of all unpaid ton-mile tax.

That transfer of interstate operating rights herein authorized is subject to the provisions of the Federal Motor Carrier Act of 1935.

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

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 2nd day of December, 1952.

es

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF }  
BURLINGTON TRANSPORTATION COMPANY, }  
AN ILLINOIS CORPORATION, FOR AUTH- } APPLICATION NO. 9820  
ORITY TO LEASE A PORTION OF PUC NO. } SUPPLEMENTAL ORDER  
36 AND PUC NO. 36-I TO M. M. YOUNG, }  
LARAMIE, WYOMING. }

IN THE MATTER OF THE APPLICATION OF }  
AMERICAN BUSLINES, INC., A DELAWARE }  
CORPORATION, TO SELL OPERATING }  
RIGHTS BETWEEN THE COLORADO-WYOMING } APPLICATION NO. 12135-Transfer  
STATE LINE AND WALDEN, COLORADO, TO }  
M. M. YOUNG, 1322 BRADLEY STREET, }  
LARAMIE, WYOMING. }

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December 2, 1952  
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S T A T E M E N T

By the Commission:

Pursuant to authority contained in Decision No. 32199, of date February 17, 1949, Burlington Transportation Company, an Illinois corporation, the then owner and operator of PUC No. 36 and PUC No. 36-I, leased that portion of said operating rights authorizing:

service between the Colorado-Wyoming State Line and Walden, Colorado, over Colorado Highways Nos. 127 and 125, via Cowdrey, Northgate, Kings Canyon, and Nelson, Colorado,

to M. M. Young, an individual, Laramie, Wyoming, the lease to be for a period of five years, effective February 1, 1949, as more clearly set forth in lease of said operating rights attached to Application No. 9820.

Thereafter, and on August 17, 1951, Decision No. 37223 was entered by the Commission, transferring to American Buslines, Inc., all operating rights of Burlington Transportation Company.

By the instant application, American Buslines, Inc. seeks authority to transfer said operating rights heretofore leased to M. M. Young, of Laramie, Wyoming, to him.

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 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 application 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 lease of operating rights authorized by Decision No. 32199 should be set aside, vacated, and held for naught.

That transfer proposed in the instant application is compatible with the public interest, and should be authorized.

### ORDER

#### THE COMMISSION ORDERS:

That Decision No. 32199, of date February 17, 1949, entered in Application No. 9820, whereby Burlington Transportation Company was authorized to lease a portion of PUC No. 36 and PUC No. 36-I to M. M. Young, Laramie, Wyoming, should be, and the same is hereby, vacated, set aside, and held for naught.

That American Buslines, Inc. should be, and it hereby is, authorized to transfer all its right, title, and interest in and to that portion of said PUC No. 36 and 36-I authorizing:

service between the Colorado-Wyoming State Line  
and Walden, Colorado, over Colorado Highways Nos.  
127 and 125, via Cowdrey, Northgate, Kings Canyon,  
and Nelson, Colorado,

to M. M. Young, Laramie, Wyoming, a new number to issue to transferee covering operating rights hereby transferred to him.

That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said certificate has been formally assigned and that said



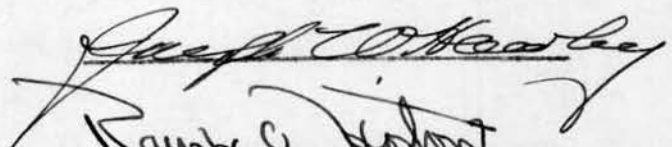
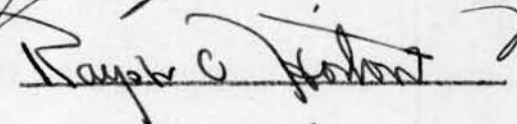
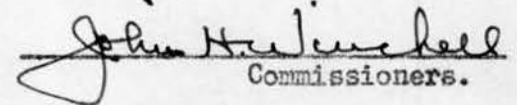
parties have accepted and in the future will comply with the conditions and requirements of this order to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this order within thirty (30) days from the effective date of the order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission.

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.

The right of transferee to operate under this order shall depend upon the prior filing by transferor of delinquent reports, if any, covering its operations under said certificate up to the time of the transfer of said certificate, and the payment by transferor or transferee of all unpaid road tax.

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 2nd day of December, 1952.

ea



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
FRED M. MC NEILL, 909 BROADWAY, )  
BOULDER, COLORADO, FOR AUTHORITY TO )  
TRANSFER PERMIT NO. B-3062 TO ) APPLICATION NO. 12136-PP-Transfer  
CHARLES LEROW, BOX 482, BOULDER, )  
COLORADO. )  
-----

-----  
December 2, 1952  
-----

S T A T E M E N T

By the Commission:

By Decision No. 22276, of date May 12, 1944, Fred M. McNeill, Boulder, Colorado, was authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of:

coal between points within a radius of  
thirty miles of Boulder, Colorado, except-  
ing the transportation of coal for hire to  
points in the mountains west of Boulder,

said operating rights being known as "Permit No. B-3062."

By the instant application, said permit-holder seeks authority to transfer Permit No. B-3062 to Charles Lerow, Boulder, 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, 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 application, 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 Fred M. McNeill, Boulder, Colorado, should be, and he is hereby, authorized to transfer all his right, title, and interest in and to Permit No. B-3062 — being the operating rights granted by Decision No. 22276 — to Charles Lerow, Boulder, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said permit has been formally assigned and that said parties have accepted and in the future will comply with the conditions and requirements of this order to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this order within thirty (30) days from the effective date of the order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission.

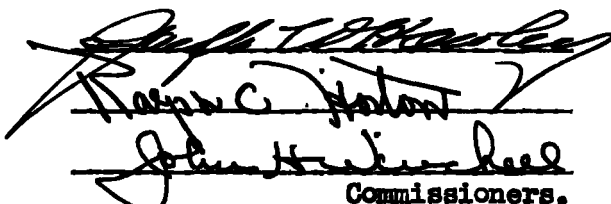
The right of transferee to operate under this order shall depend upon his compliance with all present and future laws and rules and regulations of the Commission, and the prior filing by transferor of delinquent reports, if any, covering his operations under said permit up to the time of transfer of said permit, and the payment by him or transferee of all unpaid ton-mile tax.

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

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

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 2nd day of December, 1952.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
R. C. KING, DOING BUSINESS AS "CITY )  
DELIVERY SERVICE," 823 WEST KIOWA )  
STREET, COLORADO SPRINGS, COLORADO, )  
FOR AUTHORITY TO LEASE PERMIT NO. )  
B-2355 TO RICHARD W. BERKEY, DOING )  
BUSINESS AS "CITY DELIVERY SERVICE," )  
2225 NORTH COOPER STREET, COLORADO )  
SPRINGS, COLORADO. )

APPLICATION NO. 11812-PP-Lease  
SUPPLEMENTAL ORDER

IN THE MATTER OF THE APPLICATION OF )  
R. C. KING, 823 WEST KIOWA STREET, )  
COLORADO SPRINGS, COLORADO, FOR )  
AUTHORITY TO TRANSFER PERMIT NO. )  
B-2355 TO W. E. CASTNER, DOING )  
BUSINESS AS "C-D DELIVERY SERVICE," )  
2 EAST KIOWA STREET, COLORADO )  
SPRINGS, COLORADO. )

APPLICATION NO. 12137-PP-Transfer

December 2, 1952

S T A T E M E N T

By the Commission:

R. C. King, doing business as "City Delivery Service," Colorado Springs, Colorado, is the owner of Permit No. B-2355, authorizing him to operate as a private carrier by motor vehicle for hire, for the transportation of:

packages, not exceeding fifty pounds in weight,  
from Colorado Springs to Broadmoor, Manitou, and  
other points within a radius of five miles of  
Colorado Springs, Colorado,

being the operating rights originally granted to Walter Heck, doing business as "City Package Delivery," Colorado Springs, Colorado, by Decision No. 13320.

Pursuant to authority contained in Decision No. 38738, of date May 27, 1952, said R. C. King was authorized to lease said Permit No. B-2355 to Richard W. Berkey, doing business as "City Delivery Service," Colorado Springs, Colorado, as per terms of lease agreement filed with the Commission and attached to the application therein.

The following statement has now been filed with the Commission,  
signed by Richard W. Berkey:

"This is to certify that I, Richard W. Berkey, 2225 N. Cooper, Colorado Springs, hereby release R. C. King, 823 W. Kiowa Street, Colorado Springs, Colorado, of all obligations incurred in Business Lease dated January 18, 1952, and all obligations pertaining to Lease of City Delivery Service and PUC Permit No. B-2355."

By the instant application, R. C. King seeks authority to transfer Permit No. B-2355 to W. E. Castner, doing business as "C-D Delivery Service," Colorado Springs, 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 refunded to transferor; that there are no outstanding unpaid operating obligations against said permit; 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 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 Decision No. 38738, of date May 27, 1952, by which R. C. King was authorized to lease Permit No. B-2355 to Richard W. Berkey, doing business as "City Delivery Service," Colorado Springs, Colorado, should be vacated, set aside, and held for naught.

That the transfer proposed by the instant application is in the public interest, and should be authorized, subject to outstanding indebtedness, if any.

#### O R D E R

##### THE COMMISSION ORDERS:

That Decision No. 38738, of date May 27, 1952, entered in Applica-

tion No. 11812-PP, authorizing R. C. King to lease Permit No. B-2355 to Richard W. Berkey, doing business as "City Delivery Service," Colorado Springs, Colorado, should be, and the same hereby is, vacated, set aside, and held for naught.

That R. C. King, Colorado Springs, Colorado, should be, and he is hereby, authorized to transfer all his right, title, and interest in and to Permit No. B-2355 -- being the operating rights granted by Decision No. 13320 -- to W. E. Castner, doing business as "C-D Delivery Service," Colorado Springs, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said permit has been formally assigned and that said parties have accepted and in the future will comply with the conditions and requirements of this order to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this order within thirty (30) days from the effective date of the order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission.

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, and the prior filing by transferor of delinquent reports, if any, covering his operations under said permit up to the time of transfer of said permit, and the payment by him or transferee of all unpaid ton-mile tax.

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

That ton-mile tax deposit of transferor shall be refunded to him.



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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph C. Hawley  
Ralph C. Holm  
John H. Hunsell  
Commissioners.

Dated at Denver, Colorado,  
this 2nd day of December, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
GEORGE HARDT, 2530 LAMAR ST., )  
DENVER 14, COLORADO. )  
-----

PERMIT NO. B-3732

-----  
December 8, 1952  
-----

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-3732 be suspended for six months from November 20, 1952.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

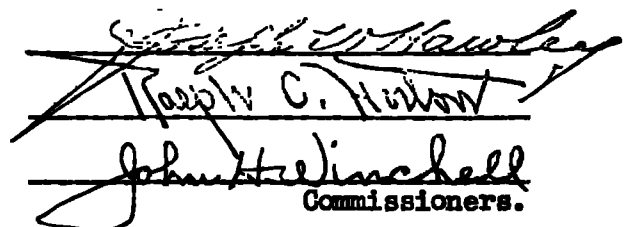
O R D E R

THE COMMISSION ORDERS:

That George Hardt, Denver, Colorado, be, and he is hereby, authorized to suspend his operations under Permit No. B-3732 until May 20, 1953.

That unless George Hardt, Denver, Colorado, 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

  
Commissioners.

Dated at Denver, Colorado,  
this 8th day of December, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE PROPOSED INCREASES IN THE )  
FARES OF THE SIGHTSEEING )  
OPERATORS IN THE PIKES PEAK )  
REGION. )  
-----

INVESTIGATION AND SUSPENSION  
DOCKET NO. 344

-----  
December 4, 1952  
-----

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, tariffs containing schedules stating new individual fares and charges to become effective on the 5th day of December, 1952, designated as follows:

E. F. Rowlett and Maynard T. Binkerd, d/b/a  
R & P Scenic Tours, Colo. P.U.C. No. 3;  
Carl D. and Mary E. Cox, d/b/a  
Colorado Springs Sightseeing Company,  
Colo. P.U.C. No. 4 ;  
Carl D. and Mary E. Cox, d/b/a  
Grand View Tours, Colo. P.U.C. No. 2;  
W. L. Fuller, Colo. P.U.C. No. 3;  
Colburn Motor Tours, Inc., Colo. P.U.C. No. 3;  
Walter H. Colburn, Colo. P.U.C. No. 4;  
Margaret Regina Conway, John Francis Conway,  
Anna Elizabeth Conway, William Joseph  
Conway, Francis Jan Conway, Jennie Marie Conway,  
Ann Lucy Conway and Frank R. Conway, d/b/a  
Alamo Hotel-Monarch Service, Colo. P.U.C. No. 2;  
Frances M. and Wayne W. Walk, d/b/a  
Tarman Tours, Colo. P.U.C. No. 2;  
Pikes Peak Automobile Company, Colo. P.U.C. No. 21;  
Antlers Hotel Company, Colo. P.U.C. No. 2;  
Marie C. Horton, d/b/a Cadillac Sightseeing Company,  
Colo. P.U.C. No. 1;  
Mary E. Mountain & Michael Randolph, d/b/a  
Mountain Scenic Tours, Colo. P.U.C. No. 1;  
Paul E. Brown & Nela A. Brown, d/b/a  
Paul E. Brown Tours, Colo. P.U.C. No. 2;  
J. A. Finney and R. P. Finney, d/b/a  
Finney Sightseeing Service, Colo. P.U.C. No. 2;  
J. A. Finney and R. N. Finney, d/b/a  
Finney & Son, Colo. P.U.C. No. 2.



That the said schedules contained in said tariffs make certain increases in the fares and charges for sightseeing services for the various scenic trips in the Pikes Peak Region whereby the rights and interests of the public may be injuriously affected; a formal protest having been filed; and it being the opinion of the Commission that the effective date of said schedules contained in said tariff should be postponed pending a hearing and decision thereon.

#### ORDER

##### THE COMMISSION ORDERS:

1 - That a hearing shall be held concerning the lawfulness of the fares and charges stated in the schedules contained in the tariffs heretofore designated in the statement, which is hereby made a part hereof.

2 - The operation of the schedules contained in said tariffs be suspended and that the use of the fares, charges, regulations and practices therein stated be deferred 120 days, or until the 4th day of April, 1953, unless otherwise ordered by the Commission, and no change shall be made in such fares, charges, regulations and practices during the said period of suspension.

3 - The fares 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 or any extension thereof has expired.


4 - A copy of this order be filed with said tariffs in the office of the Commission and that copies hereof be forthwith served upon:

E. F. Rowlett, 126 East Pikes Peak Ave., Colo. Springs, Colo.  
Carl D. and Mary E. Cox, 432 No. Nevada Ave., Colo. Spgs., Colo.  
W. L. Fuller, 716 Paseo, Colo. Springs, Colo.  
Colburn Motor Tours, Inc., 32 So. Nevada Ave., Colo. Spgs., Colo.  
Walter H. Colburn, 106 West Pikes Peak Ave., Colo. Springs, Colo.  
Alamo Hotel-Monarch Service, Alamo Hotel, Colo. Springs, Colo.  
Wayne W. Walk, 324 East Uintah Street, Colo. Springs, Colo.  
Pikes Peak Automobile Co., 103 East Pikes Peak Ave., Colo. Spgs., Colo.  
Antlers Hotel Company, Antlers Hotel, Colo. Springs, Colo.,  
Cadillac Sightseeing Co., 1116 So. Nevada Ave., Colo. Spgs., Colo.  
Mary E. Mountain, 3210 W. Pikes Peak Ave., Colo. Springs, Colo.  
Paul E. Brown Tours, 153 Manitou Ave., Manitou, Colo.

Finney & Son, 1703 So. Nevada Ave., Colo. Springs, Colo.  
R. C. Mason, 3112 W. Colo. Ave., Colo. Springs, Colo.  
Marion F. Jones, Esq., 526 Denham Bldg., Denver, 2, Colo.  
R. B. Danks, Esq., Tramway Bldg., Denver 2, Colo.  
John A. Love, Esq., Mining Exchange Bldg., Colo. Springs, Colo.

5 - This proceeding be assigned for hearing at a future date to be determined by the Commission, due notice of such date and place of hearing being given to all interested parties.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Joseph C. Hawley  
Harold C. Horton  
John H. Hutchins  
Commissioners

Dated at Denver, Colorado  
this 4th day of December, 1952.

hs

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
G. G. McBRIDE, DOING BUSINESS )  
AS "GROCERS SUPPLY CO.," LAS )  
ANIMAS, COLORADO. ) PERMIT NO. C-15724  
)  
)  
)  
-----

-----  
December 10, 1952

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
G. G. McBride, dba "Grocers Supply Co."  
requesting that Permit No. C-15724 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-15724, heretofore issued to.....  
G. G. McBride, dba "Grocers Supply Co.".....be,  
and the same is hereby, declared cancelled effective November 27, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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-----  
Commissioners

Dated at Denver, Colorado,  
this 10th day of December, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
NICK BISULCO & PETE DeLUCA, )  
DOING BUSINESS AS "BISULCO & )  
DeLUCA," 301 WEST MAIN STREET, ) PERMIT NO. C-19983  
TRINIDAD, COLORADO. )  
----- )

-----  
December 10, 1952  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Nick Bisulco & Pete DeLuca, dba "Bisulco & DeLuca"  
-----  
requesting that Permit No. C-19983 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-19983, heretofore issued to-----  
Nick Bisulco & Pete DeLuca, dba "Bisulco & DeLuca" be,  
and the same is hereby, declared cancelled effective November 24, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
\_\_\_\_\_  
*Robert C. Wilson*  
\_\_\_\_\_  
*John H. Winchell*  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,  
this 10th day of December, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
LEONARD MOORE & THEODORE H. )  
ARMKNECHT, DOING BUSINESS AS )  
"MOORE & ARMKNECHT," ST. ) PERMIT NO. C-15013  
FRANCIS, KANSAS. )  
)

December 10, 1952

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Leonard Moore & Theodore H. Armknecht, dba "Moore & Armknecht"  
requesting that Permit No. C-15013.....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-15013....., heretofore issued to.....  
Leonard Moore & Theodore H. Armknecht, dba "Moore & Armknecht".....be,  
and the same is hereby, declared cancelled effective December 2, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph C. Hawley*  
*Joseph C. Hawley*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,  
this 10th day of December, 1952.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
LEONARD MOORE & THEODORE H. )  
ARMKNECHT, DOING BUSINESS AS )  
"MOORE & ARMKNECHT," ST. )  
FRANCIS, KANSAS. )  
-----

PUC NO. 1638-I

-----  
December 10, 1952  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Leonard Moore & Theodore H. Armknecht, doing business as "Moore & Armknecht," St. Francis, Kansas, requesting that Certificate of Public Convenience and Necessity No. 1638-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. 1638-I, heretofore issued to Leonard Moore & Theodore H. Armknecht, doing business as "Moore & Armknecht," St. Francis, Kansas, be, and the same is hereby, declared cancelled effective December 2, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Joseph C. Horton*  
*John H. Winchell*  
Commissioners.

Dated at Denver, Colorado,  
this 10th day of December, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
LEONARD MOORE & THEODORE H. )  
ARMKNECHT, DOING BUSINESS AS )  
"MOORE & ARMKNECHT," ST. )  
FRANCIS, KANSAS. )  
-----

PUC NO. 847-I

-----  
December 10, 1952  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Leonard Moore & Theodore H. Armknecht, doing business as "Moore & Armknecht," St. Francis, Kansas, requesting that Certificate of Public Convenience and Necessity No. 847-I be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

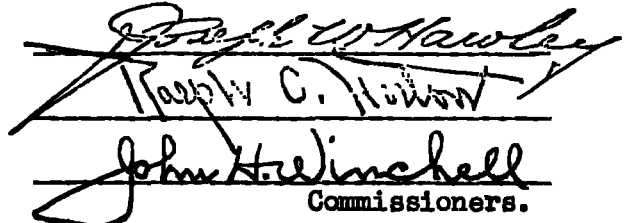
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Certificate No. 847-I, heretofore issued to Leonard Moore & Theodore H. Armknecht, doing business as "Moore & Armknecht," St. Francis, Kansas, be, and the same is hereby, declared cancelled effective December 2, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 10th day of December, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
HOPE A. MOODY, STAR ROUTE, )  
BRIGGSDALE, COLORADO. )  
)  
)  
)

PERMIT NO. C-14965

December 10, 1952

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
..... Hope A. Moody .....  
requesting that Permit No. C-14965 ..... be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

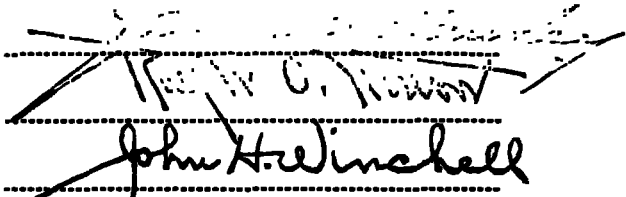
... That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-14965, heretofore issued to.....  
..... Hope A. Moody ..... be,  
and the same is hereby, declared cancelled effective November 22, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 10th day of December, 1952.

mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
C. J. LOETSCHER & K. C. )  
McCARVILLE, DOING BUSINESS AS )  
"WHITE STAR MARKET," 112 SOUTH ) PERMIT NO. C-12561  
NEVADA, COLORADO SPRINGS, )  
COLORADO. )  
-----

-----  
December 10, 1952

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
C. J. Loetscher & K. C. McCarville, dba "White Star Market"  
requesting that Permit No. C-12561.....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-12561....., heretofore issued to.....  
C. J. Loetscher & K. C. McCarville, dba "White Star Market".....be,  
and the same is hereby, declared cancelled effective November 19, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Robert W. Hawley*  
*Robert C. Newton*  
*John H. Winchell*

Commissioners

Dated at Denver, Colorado,  
this 10th day of December, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
PRECISION BILT HOMES, INC., )  
RT. 9, SKY RANCH AIRPORT, )  
DENVER 8, COLORADO. ) PERMIT NO. C-28933  
)  
)  
)  
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-----  
December 19, 1952  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Precision Bilt Homes, Inc.,-----  
requesting that Permit No. C-28933 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

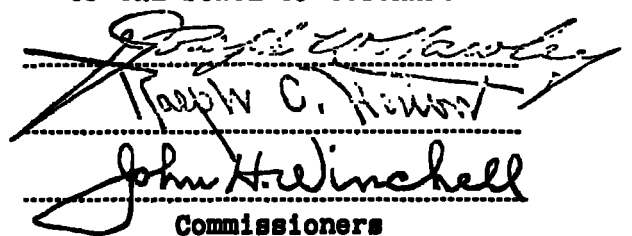
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-28933, heretofore issued to-----  
Precision Bilt Homes, Inc.,----- be,  
and the same is hereby, declared cancelled effective December 8, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 19th day of December, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
FRED C. ROSE, ROUTE 3, )  
LONGMONT, COLORADO. )  
 )  
 )  
 )

PERMIT NO. C-6042

December 10, 1952

S T A T E M E N T

By the Commission:

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

Fred C. Rose

requesting that Permit No. C-6042.....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-6042....., heretofore issued to.....

Fred C. Rose.....be,

and the same is hereby, declared cancelled effective November 27, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Robert W. Hawley*  
*Harvey C. Wilson*  
*John H. Winchell*

Commissioners

Dated at Denver, Colorado,

this 10th day of December, 1952.

mls

BEFORE, THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
T. F. COATES, 327 MAIN ST., )  
DELTA, COLORADO. )  
 )  
 )  
 )

PERMIT NO. C-2118

December 10, 1952

S T A T E M E N T

By the Commission:

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

.....T. F. Coates.....

requesting that Permit No. C-2118.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

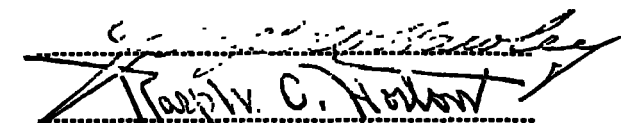
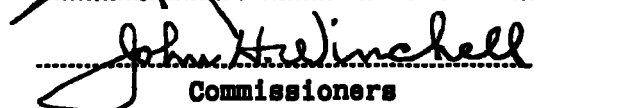
THE COMMISSION ORDERS:

That Permit No. C-2118....., heretofore issued to.....

.....T. F. Coates.....be,

and the same is hereby, declared cancelled effective November 14, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
.....  
  
Commissioners

Dated at Denver, Colorado,

this 10th day of December, 1952.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF )  
GLOY JETT, ELDORA, COLORADO. )  
 )  
 )  
 )  
 )  
 )  
-----

PERMIT NO. C-26844

-----  
December 10, 1952  
-----

S T A T E M E N T

By the Commission:

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

-----  
Gloy Jett  
-----

requesting that Permit No. C-26844 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-26844, heretofore issued to-----

-----  
Gloy Jett  
-----

be,

and the same is hereby, declared cancelled effective November 18, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Robert W. Hawley*  
\_\_\_\_\_  
*Joseph C. Hickson*  
\_\_\_\_\_  
*John H. Winchell*  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,  
this 10th day of December, 1952.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ABIE HOLLENBACH, P. O. BOX 808, )  
DURANGO, COLORADO. )  
)  
)  
)

PERMIT NO. C-18640

-----  
December 10, 1952  
-----

S T A T E M E N T

By the Commission:

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

-----  
Abie Hollenbach  
-----

requesting that Permit No. C-18640 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-18640, heretofore issued to-----

-----  
Abie Hollenbach  
-----

and the same is hereby, declared cancelled effective November 12, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Robert L. Hawley*  
*Joseph W. C. Hinton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 10th day of December, 1952.

mls